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FILE NO. 45-95-19

ORDINANCE NO. 201-95

RO #94240

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF YUI CHENG NG, SHEUT NG, WILSON NG, AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $18,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1: The City Attorney is hereby authorized to settle the action entitled "Yui Cheng Ng, Sheut Ng, Wlson Ng v. City and County of San Francisco," San Francisco Superior Court No. 952-170, by the payment of $18,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Dept. Of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $18,000.00

APPROVED:

WILLIAM LEE
Chief Administrative Officer

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-19

JUN 16 1995

Date Approved

Mayor

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FILE NO. 65-95-4 ORDINANCE NO. 202-95

(LEASE MODIFICATION)

APPROVING THIRD AMENDMENT TO LEASE BETWEEN THE SAN FRANCISCO PORT COMMISSION AND PIER 33 INC., FOR REAL PROPERTY IN THE PIER 33 BULKHEAD BUILDING (BAY AND THE EMBARCADERO)

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(g) of the City Charter authorizes the Port Commission to enter into leases and franchises for the operation of property within the jurisdiction of the Port Commission; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the leases or the modification, amendment or termination of any leases of real property entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. On June 13, 1984, Pier Thirty-Three, Inc., entered into a lease (Lease No. L-10446) with the San Francisco Port Commission to lease 12,900 square feet of space on three floors of the Pier 33 bulkhead building (Bay and the Embarcadero) until June 12, 2014; and

D. On April 26, 1994, the San Francisco Port Commission approved in Resolution No. 94-58 (a copy hereto attached) the third modification to Lease No. L-10446 to enable Pier Thirty-Three, Inc. to refinance the leasehold mortgage and to include additional modifications of benefit to the Port.

Section 2

NOW THEREFORE BE IT ORDAINED, That the Board of Supervisors hereby approves the Third Amendment to the lease for real property at the Pier 33 Bulkhead; and be it

FURTHER ORDAINED, That the Board of Supervisors authorizes the Executive Director of the Port to execute the Third lease amendment, a copy of which is on file with the Clerk of the Board, on behalf of the Port in substantially the form attached hereto.

APPROVED AS TO FORM
Louise Renne
City Attorney

Neil Sekhri

by: Neil Sekhri
Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 65-95-4

JUN 16 1995
Date Approved

Mayor

cc

FILE NO. 93-95-20.3 **ORIGINAL** When Stamped In Red ORDINANCE NO. 203-95

(Compensation)

AMENDING ORDINANCE NO. 130-95 IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING MATERIAL AND CONSTRUCTION TEAMSTERS, LOCAL 216 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1995 THOUGH AND INCLUDING JUNE 30, 1998.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby amends Ordinance No. 130-95 to accurately reflect the agreement of the parties and implements the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1998. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

59251

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-95-20.3

JUN 16 1995
Date Approved

Mark Leno
Mayor

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FILE NO. 93-95-28 ORDINANCE NO. 204-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS, LOCAL 39 AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

59371
Supervisor Shelley
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-95-28

JUN 16 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-95-21 AMENDMENT OF THE WHOLE 5/24/95 ORDINANCE NO. 205-95

(CIVIL GRAND JURY REPORTS - HEARINGS)

AMENDING ARTICLE II OF CHAPTER 2 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 2.10 THERETO, TO REQUIRE A PUBLIC HEARING BY THE BOARD OF SUPERVISORS ON REPORTS SUBMITTED TO THEM BY THE CIVIL GRAND JURY AND REQUIRING THE CONTROLLER TO REPORT ON THE STATUS OF IMPLEMENTATION OF THE RECOMMENDATIONS.

NOTE: This entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article II of the San Francisco Administrative Code is hereby amended by adding Section 2.10 to read as follows:

SEC. 2.10. PUBLIC HEARINGS - REPORTS SUBMITTED BY THE CIVIL GRAND JURY.

(a) A public hearing by a committee of the Board of Supervisors shall be conducted to consider a final report of findings and recommendations that is submitted by the civil grand jury to the Board of Supervisors. The Clerk of the Board of Supervisors shall notify the current foreman of the civil grand jury and the immediate past foreman of the civil grand jury of any such hearing that is scheduled by the Board of Supervisors.

(b) The Controller shall report to the Board of Supervisors on the implementation of recommendations that pertain to fiscal matters that were considered at a public hearing. The

report by the Controller shall be submitted no later than one year following the date of the public hearing.

APPROVED AS TO FORM:

Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 30, 1995	$	June 5, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	$	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	$	
Absent: Supervisor Hsieh	$	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-95-21

JUN 16 1995
Date Approved

Mayor

AS AMENDED IN BOARD 5/30/95

FILE NO. 97-95-26 ORDINANCE NO. 206-95

[Assessment Appeals Board]

AMENDING CHAPTER 2B OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 2B.9 THERETO TO WAIVE THE FILING FEE FOR AN APPLICATION FOR REDUCTION OF ASSESSMENT WHERE THE APPLICATION IS ACCOMPANIED BY A STIPULATION WITH THE ASSESSOR AND THE APPLICATION IS FILED AFTER THE ASSESSMENT APPEALS BOARD HAS REDUCED THE ASSESSMENT FOR A PRIOR TAX YEAR, AMENDING SECTION 2B.10 TO ALLOW REFUND OF ONLY HALF OF THE HEARING FEE WHERE THE APPLICANT PREVAILS AND OBTAINS A REDUCTION FROM THE ASSESSMENT APPEALS BOARD, AMENDING SECTION 2B.13 TO ALLOW ASSESSMENT APPEALS BOARD NO. 2 TO HEAR APPEALS INVOLVING PROPERTY OF ANY TYPE ON THE SECURED OR UNSECURED ROLL ASSESSED AT $20,000,000 OR LESS, EXCLUDING PROPERTIES IN CERTAIN DESIGNATED ASSESSOR'S BLOCKS AND POSSESSORY INTERESTS, AND AMENDING SECTION 2B.18 TO REQUIRE THE ASSESSMENT APPEALS BOARD TO ACCEPT RECOMMENDATIONS OF HEARING OFFICERS AS TO WHICH THERE IS NO TIMELY OBJECTION.

Note: Additions are <u>underlined</u> and deletions are in ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Amending Chapter 2B of the San Francisco Administrative Code by amending Sections 2B.9, 2B.10, 2B.13, and 2B.18 thereof, to read as follows:

SEC 2B.9. FILING FEE. An applicant for a refund shall pay a $30 non-refundable processing fee to the Assessment Appeals Board at the time of filing an application with the Board. An applicant shall pay a separate filing fee for each applicaton filed. The filing fee shall be waived where:

5/30/95 rt

<u>(a)</u> the applicant would qualify for a waiver of court fees and costs pursuant to California Government Code Section 68511.3<u>; or</u>

5/30/95 rt

5/30/95

<u>(b)(i) the application is accompanied by a stipulation pursuant to Revenue and Taxation Code Section 1607 signed by the Assessor, the applicant, and the City Attorney;</u>

<u>(ii) the applicant requests a reduction for the tax year following a tax year for which the Assessment Appeals Board has reduced the assessed value at the time of filing the application for the subsequent tax year; and</u>

<u>(iii) the applicant's opinion of value is not less than the value determined by the Board for the prior year plus any automatic increases allowed by law.</u>

rt

SEC. 2B.10. HEARING FEE. Where an application is not withdrawn at least 30 days prior to the date on which the Assessment Appeals Board has scheduled the application for hearing, at least 30 days prior to the hearing date the applicant shall pay a hearing fee to the Assessment Appeals Board in accordance with the following schedule:

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Where the property affected by the application is valued on the current assessment roll at:	Fee
$250,000 or less	No Charge
$250,001 - $2,000,000	$50.00
$2,000,001 - $10,000,000	$100.00
$10,000,001 - $20,000,000	$250.00
$20,000,001 - $50,000,000	$400.00
$50,000,001 - $100,000,000	$600.00
More than $100,000,000	$1,200.00

(b) Where an applicant files two or more applications at the same time affecting the same appraisal unit for the same tax year, the applicant shall be liable for a single hearing fee based on the sum of the current assessment roll values of all property contained in the appraisal unit.

(c) Revenues generated by the filing fee shall be used exclusively to pay for the Board's costs of operation.

(d) One half of the ((The)) hearing fee shall be refunded to any applicant where the Assessor's value is lowered to the applicant's opinion of value as stated in the initial application filed with the Board or by thirty percent (30%) or more of the Assessor's value following the hearing. No hearing fee will be

refunded unless the applicant applies to the Board for a refund in writing within thirty (30) days following receipt of the Board's decision.

(e) The hearing fee shall be waived if the application concerns residential property and the applicant elects to have the appeal heard by a hearing officer pursuant to Sections 2B.14-2B.18. If the applicant subsequently applies for a hearing before the Assessment Appeals Board pursuant to Section 2B.18, the applicant shall pay the hearing fee required by this Section. However, if the Assessor subsequently applies for a hearing, the applicant shall not be required to pay the hearing fee.

(f) The hearing fee shall be waived where the applicant would qualify for a waiver of court fees and costs pursuant to California Government Code Section 68511.3.

SEC. 2B.13. DUTIES AND OPERATIONS. (a) Assessment Appeals Board No. 1 shall hear applications for reduction affecting any property on the secured or unsecured rolls without limitation. Assessment Appeals Board No. 2 shall hear applications for reduction ((filed)) only for property on the secured or unsecured rolls assessed at less than $20,000,000, excluding possessory interests and applications concerning real property located all or in part within Assessor's Blocks 1 through 876, inclusive, and 3701 through 3899, inclusive. ((real

property at least part of which is in residential use consisting of 12 units or less with no commercial component above the first floor; or 2) personal property or possessory interests where the property affected by the application is valued on the current unsecured roll at $75,000 or less. Assessment Appeals Board No. 1 shall hear any type of application for reduction without limitation, including applications for reduction pertaining to vacant land.)) In all other respects, Assessment Appeals Board No. 2 shall have the same duties prescribed for Assessment Appeals Board No. 1 in Section 2B.4 of this Chapter. The additional Board shall consist of three permanent members, who shall be appointed by the same process provided in Section 2B.3 of this Chapter. The members of the additional Board shall be compensated at the same rate provided in Section 2B.5 of this Chapter, and the business of the additional Board shall be conducted according to the same quorum requirements provided in Section 2B.6 of this Chapter. The Clerk of the Board of Supervisors shall serve as Clerk ((and administrator)) of the additional Board and shall perform the same duties for the additional Board provided in Section 2B.7 of this Chapter.

SEC. 2B.18. ACCEPTANCE OR REJECTION OF RECOMMENDATION.

(a) The protesting party or the Assessor may, within 14 days after mailing of the hearing officer's report and recommendation, make application for a hearing before the

assessment appeals board, and the application shall be set for hearing by the Assessment Appeals Board. The Board may consider, but shall not be bound by, the recommendation of the assessment hearing officer.

(b) If no application for a hearing is filed within 14 days of mailing of the hearing officer's report and recommendation, pursuant to Section 1641.1 of the California Revenue and Taxation Code, the Assessment Appeals Board shall, without further testimony, ((either)) accept the recommendation and make any necessary change in the assessed value in accordance with Section 1610.8 of the Revenue and Taxation Code ((or reject the recommendation and set the application for reduction for a hearing before the Assessment Appeals Board)).

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Deputy City Attorney

3704j

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 30, 1995	$	June 5, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	$	
Absent: Supervisor Hsieh	$	Absent: Supervisors Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 97-95-26

JUN 16 1995

Date Approved

Mayor

FILE NO. 97-95-31 ORDINANCE NO. 207-95

(Outreach Advertising Revenue Fund)

ADDING SECTION 10.117-114 TO THE SAN FRANCISCO ADMINISTRATIVE CODE TO ESTABLISH A REVENUE FUND FOR OUTREACH ADVERTISING.

This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by adding Section 10.117-114 thereto to read as follows:

Section 10.117-114. OUTREACH ADVERTISING REVENUE FUND

(a) **Establishment.** There shall be established in the treasury of the City and County of San Francisco a special fund to be known and designated as the "Outreach Advertising Revenue Fund." Into this fund shall be deposited monies withheld from payments to official newspapers for official advertising, in accordance with Admin. Code Sec. 2.81-2(a).

(b) **Utilization of Fund.** The Outreach Advertising Revenue Fund shall be used solely to pay for outreach advertising, in accordance with Section 2.80-1(d).

(c) **Administration of Fund.** The Outreach Advertising Revenue Fund shall be administered by the Clerk of the Board of Supervisors.

(d) **Interest.** Interest earned from the Outreach Advertising Revenue Fund shall become part of the principal and

shall not be drawn from the fund for any purpose other than that for which the fund is established.

(e) **Accrual of Monies in Fund.** Any unexpended balances remaining in the Outreach Advertising Revenue Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in the fund for the purposes recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 30, 1995	$	June 5, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	$	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	$	
	$	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean L. Leon
Acting Clerk

File No.
97-95-31

JUN 16 1995
Date Approved

Mayor

FILE NO. 101-94-110 AS AMENDED IN COMMITTEE 6/7/95 ORDINANCE NO. 208-95

(Government Funding) RO#94254 SA#123

6/7/95 grh

APPROPRIATING AND RESCINDING $4,494,000 OF 1990 EARTHQUAKE SAFETY BONDS TO VARIOUS LIBRARY CAPITAL IMPROVEMENT PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1994-95. PLACING $980,400 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-615	1990 Earthquake Safety Bonds		
90-02-00	Public Works - Architecture		
Project 100-01	Various Bldg.-Facilities Improvements		
20-2030 (772194)	Capital Improvement Projects	$4,494,000	$4,494,000
	Total	$4,494,000	$4,494,000

6/7/95 grh

Section 2. Funds in the amount of $980,400 are hereby placed on reserve pending selection of a contractor for renovation of the Richmond Branch Library, contract cost details and the MBE/WBE status of the contractor and to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 12, 1995	June 19, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Migden	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-94-110

JUN 30 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-111

(Government Funding)

ORDINANCE NO. 209-95

RO#94255
SA#133

APPROPRIATING $575,060 FROM THE GENERAL FUND RESERVE AND RESCINDING $1,008,919 FROM SALARIES IN THE FIRE DEPARTMENT TO APPROPRIATE $1,583,979 TO THE DEPARTMENT OF HUMAN RESOURCES FOR WORKERS COMPENSATION CLAIMS FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	$575,060	
31-00-00	Fire Department		
01-0101 (530071)	Overtime - Uniform	$1,008,919	
49-4900 ( )	Revenue Transfer Out to 09-410; Worker's Compensation Fund; 33-00-00; Dept. of Human Resources		$1,583,979
	Total General Fund	$1,583,979	$1,583,979
09-410	Worker's Compensation Fund		
33-00-00	Department of Human Resources		
99-9990 ( )	Revenue Transfer In from 01-001; General Fund; 99-00-00;	$1,583,979	
10-1900 (380576)	Other Non-Personal Services		$1,583,979
	Total Worker's Compensation Fund	$1,583,979	$1,583,979

BOARD OF SUPERVISORS

Section 2. Within the total amount appropriated for Workers Compensation Costs, the Controller is authorized to adjust individual department appropriations to reflect the actual claims cost incurred.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

BOARD OF SUPERVISORS

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
June 12, 1995	$	June 19, 1995
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisors Ammiano Leal Migden	$	
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-94-111

JUN 30 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 114-94-1

AMENDMENT OF THE WHOLE
6/7/95
AS AMENDED IN COMMITTEE
6/7/95

ORDINANCE NO. 210-95

(UMB Appeals Board)

AMENDING PART II, CHAPTER 1 OF THE SAN FRANCISCO MUNICIPAL (BUILDING CODE) BY AMENDING SECTIONS 203 (i), 204 (a), 212 (d), 333.5 AND 1405 (b) AND ADDING SECTION 1408 TO ESTABLISH AN UNREINFORCED MASONRY BUILDING (UMB) APPEALS BOARD AND ESTABLISHING FEES THEREFOR.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 203 (i) to read as follows:

Sec. 203. (i) Appeal of Order. Any person may appeal from an order of the Director made pursuant to the provisions of Section 203 (f) and shall, at the hearing provided for in Section 203 (d) and in said order, be apprised of the right of appeal to the Abatement Appeals Board, provided that the appeal is made in writing and filed with the Secretary of the Abatement Appeals Board within 10 days after such order is posted and served. The 10-day limitation shall not apply when any type of a moratorium authorized in this subsection is sought. Where construction methods, assemblies or materials or compliance with the time limits set forth in Table No. 14-A are the bases, in whole or in part, of the Director's finding that an unreinforced masonry building, or part thereof, is unsafe, the Abatement Appeals Board shall refer these matters to the UMB Appeals Board established in Section 1408 of this Code.

Where other construction methods, assemblies or materials are the bases, in whole or in part, of the Director's finding that the premises, building or structure, or part thereof, is unsafe, the Abatement Appeals Board shall refer these matters to the Board of Examiners for its examination and determination with respect to such methods, assemblies or materials in accordance with this code and the rules and requirements of the Board of Examiners.

The Board of Examiners, or, when applicable, the UMB Appeals Board shall approve or disapprove such methods, assemblies and materials, and may attach conditions to its approval, and shall forward a copy of its report to the Abatement Appeals Board. The Abatement Appeals Board shall include in its decision the finding of the Board of Examiners or UMB Appeals Board.

Section 2. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 204 (a) to read as follows:

Sec. 204. (a) Establishment. There o is hereby created a Board of Examiners consisting of six members who are qualified by experience and training to pass upon matters pertaining to building design and construction. The word "Board" whenever used in Section 204 (a) through 204 (((i))j) means Board of Examiners. Except when a matter involves compliance with Chapters 14 and 15 or other related structural provisions of this code regulating the strengthening of unreinforced masonry buildings, i((I))ts functions shall be:

1. To determine whether specific new materials, new methods and types of construction comply with the standards of safety established by this code; and to recommend the approval or disapproval of such new materials, new methods and types of construction.

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2. To determine whether variances from the requirements of this code should be approved for specific cases where new materials, new methods and types of construction are not involved, and where the enforcement of compliance therewith should result in unreasonable hardship.

3. To determine reasonable interpretations of the provisions of this code.

4. To hear appeals from the condemnation or abatement order of the Director involving construction methods, assemblies or materials or where safety is involved. A copy of the findings of the Board of Examiners shall be forwarded to the Abatement Appeals Board.

The term "standard of safety," as used in this section, shall mean the general degree of safety conforming to the provisions of this code as required to safeguard life or limb, health and public welfare.

It is the intent of this section that new materials, new methods and types of construction, which do not comply with the standards of safety established by this code, shall in no event be approved; but that the requirements of this code, other than those involving such standards of safety, may be waived under the circumstances set forth in this section.

Matters involving compliance with Chapters 14 and 15 or other related structural provisions of this code regulating the strengthening of unreinforced masonry buildings shall be heard by the UMB Appeals Board as provided in Section 1408.

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Section 3. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 212 (d) to read as follows:

Sec. 212. (d) Variance Procedure. Any person receiving a notice as set out in Subsection (c) above may appeal for a variance from the notice of the ((Bureau)) Department to the Board of Examiners in the manner provided by Section 204 (d) or in the case of parapets of unreinforced masonry buildings, to the UMB Appeals Board in the manner provided by Section 1408 (d).

Section 4. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 333.5 to read as follows:

Unreinforced Masonry Building Retrofit Program Fee Schedule

Sec. 333.5

Review of inventory form (Section 1404(b)1)	$ 75.00
Review of the summary of the engineering report (Section 1404(b)3)	$150.00
UMB Appeals Board Filing Fees (Section 1408)	
Each appeal for a variance from or interpretation of code requirements:	$ 95.05
Each appeal for the approval of substitute materials or methods of design or construction:	$ 238.60

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Section 5. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 1405 to read as follows:

(b) **Appeal from Notice.** The owner or the owner's agent may appeal the ((Superintendent's)) Director's notice to the ((Board of Examiners))UMB Appeals Board in accordance with Section ((204(c)))1408.

Section 6. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by ADDING SECTION 1408 to read as follows:.

UMB Appeals Board

Sec. 1408. (a) **Establishment.** There is hereby created a UMB Appeals Board consisting of nine members who are qualified by experience or training to pass upon matters pertaining to building design and construction as they relate to the seismic retrofit of unreinforced masonry buildings. The word "Board" whenever used in Sections 1408 (a) through 1408 (k) means the UMB Appeals Board. The Board's scope of authority shall be limited to Chapters 14 and 15, including unreinforced masonry buildings exempt therefrom, and other related structural provisions of this code regulating the strengthening of unreinforced masonry buildings. Its functions shall, within that scope of its authority, be:

1. To determine in accordance with subsection (c) below whether specific new materials, new methods and types of design or construction comply with the standards of safety established by this code; and to recommend the approval or disapproval of such new materials, new methods and types of construction.

2. To determine in accordance with subsection (d) below, whether variances from the requirements of this code should be approved for specific cases where new materials, new methods and types of construction are not involved and where the enforcement of compliance therewith would result in unreasonable hardship.

3. To determine reasonable interpretations of the provisions of this code.

4. To hear appeals from the condemnation or abatement order of the Director involving construction methods, assemblies, materials or compliance with the time limits set forth in Table No. 14-A as well as notices issued under Section 1405 (a). A copy of the findings of the UMB Appeals Board shall be forwarded to the Abatement Appeals Board.

5. To review UMB retrofit alteration permits including the estimated cost of the work for the purpose of determining the adequacy and accuracy of the plan review services being provided. The results of this review shall be advisory to the staff of the Department only and shall not be binding on the applicant unless adopted by the Department. The permits selected shall be at the sole discretion of the Board.

6. To review and recommend approval or disapproval of cost estimates presented to the Director in support of applications for demolition permits.

7. To assist the Seismic Safety Retrofit Bond Program and Advisory Boards on technical and code issues related to the Seismic Safety Retrofit Bond Program.

It is the intent of this section that new materials, new methods and types of construction which

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do not comply with the standards of safety established by this code for unreinforced masonry buildings shall in no event be approved but that the requirements of this code, other than those involving such standards of safety, may be waived under the circumstances set forth in this section. The term "standard of safety," as used in this section, shall mean the general degree of safety conforming to the provisions of this code, consistent with Section 1401, required to safeguard life or limb, health and public welfare.

In exercising its authority the Board shall have no authority to waive or grant variances from disabled access regulations. Authority over those regulations remains with the Access Appeals Commission established in Section 215 of this Code.

The authority to establish Department policy regarding Unreinforced Masonry Buildings shall remain with the Building Inspection Commission.

(b) Membership. 1. This Board shall consist of members appointed by the Building Inspection Commission, to serve at its pleasure for a term of not more than four years or until a successor is appointed.

In the event a vacancy occurs during the term of office of any member of the Board, a new appointment shall be made in a manner similar to that described herein for new members. The membership shall consist of four registered civil engineers at least one of which has the authority to use the title structural engineer, at least one of which has the authority to use the title geotechnical engineer and at least one of which is an employee or officer of a testing and inspection agency; a responsible managing employee or officer of a licensed general contractor, a licensed architect, an owner of an unreinforced masonry building, a residential UMB tenant

6/7/95
grh

representative and a representative of the Seismic Safety Retrofit Bond Program Board. The terms "registered," and "licensed" shall be understood to mean by the State of California. At least one member of the Board shall have experience in issues relating to historic preservation.

The Building Inspection Commission shall make such appointments after soliciting nominations from various professional, industry and technical organizations, the Coalition for Seismic Safety, tenant advocacy groups and the manager of the UMB Seismic Safety Loan Program. The voting members of the UMB Appeals Board shall serve without compensation.

The following shall constitute ex-officio members of the Board, without vote and without compensation: the Director or his or her designee who shall act as Secretary of the Board.

2. In the event a member of the Board cannot attend meetings of the Board for a period of three consecutive meetings or longer due to illness, work away from San Francisco, or any other valid reason, the Building Inspection Commission may appoint a temporary replacement member meeting the registration, licensing, or certification requirements of Subsection 1 above. The temporary replacement shall serve on the Board until the return of the absent member or the expiration of the absent member's term, whichever comes first. The temporary replacement member shall, during the time of service on the Board, have all the rights, duties, and privileges of a duly appointed member of the Board.

(c) Board's Authority with Respect to Applications for Approval of Materials, Methods and Types of Construction. Where application has been made to the Director to approve new materials, new methods and types of construction as complying with approval previously granted or the standards of safety set up by this code, and the approval of such application has been denied, the Board shall have authority, at the request of the applicant, to determine whether

such materials, methods and types of construction comply therewith. See Section 333.5 for applicable fee.

The Board shall adopt rules and specifications for examining and testing proposed materials and methods of construction. A copy of such rules and specifications shall be furnished to the applicant.

The applicant shall cause to be made, at the applicant's expense, all reasonable tests and examinations required by the Board to substantiate the applicant's claims that said new materials, new methods and types of construction comply with the standards of safety established by this code.

The Board shall have power, with the applicant's consent, to call upon such experts as it deems necessary to consider and report upon the technical matters concerning such application. The engagement of the services of such experts shall be with the consent of and at the expense of the applicant, and the Board shall have power to require security for the payment of such expense. Such expense shall be in addition to the required filing fees as set forth in Section 333.5. Any official or employee of the City and County called upon by the Board shall serve without compensation beyond their normal salary.

The Board shall report the results of examinations and tests, together with its recommendation on the application, to the Director. If the Board recommends approval, the Director shall thereupon approve the materials or methods of construction. The Board shall have power to attach such conditions to its recommendations as it deems necessary in the interest of public safety, and the Director's approval shall be granted subject to such conditions.

(d) Board's Authority with Respect to Applications for Variances from or Interpretations of Code Requirements. Where new materials, new methods and types of construction are not involved, the Board shall have authority to consider the application for a permit, the approval of which would require a variance from the provisions of this code.

When there are practical difficulties in carrying out the literal provisions of this code, the Board may grant variances for individual cases. The Board shall first find that a special individual reason makes compliance with the strict letter of this code impractical and that the variance is in conformance with the intent and purpose of Section 212 and Chapters 14 and 15 of this code and that such variance does not lessen the general degree of safety required to safeguard life or limb, health and public welfare. If the Board so finds, it shall recommend to the Director the approval of such permit. Upon receipt of such recommendation, the Director shall approve such permit. The Board may attach to such recommendations any conditions which public safety and welfare may require, and the Director, in approving such permit, shall incorporate such conditions therein.

Except as provided in Item 4 of subsection (a) above, the Board shall not have the authority to grant extensions of time to comply with Chapters 14 and 15 of this code but may, upon finding a unique technical reason, change the Risk Level of a building. Such reasons may include but are not necessarily limited to the degree of prior retrofitting, the way in which the number of stories is counted, the building's location within the various UMB Study Areas or the soils or foundation system that support the building.

The Board shall also have the authority to recommend to the Building Inspection Commission interpretations supplemental to this code and not in conflict with its intent. Any such

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interpretations shall be subject to the provisions of Section 209 of this Code.

(e) Form of Application—Action by Board. All applications to the Board shall be made in writing and shall be filed with the Secretary of the Board. The Board shall act upon each application without unreasonable or unnecessary delay. See Section 333.5 for applicable fee.

(f) Procedure. The Board shall establish reasonable rules and regulations for its own procedures not inconsistent with the provisions of this code and the City Charter. The Board, by a majority vote, shall choose its officers, which shall consist of the President and Vice President.

(g) Quorum. Five members of the Board shall constitute a quorum, and action of the Board shall require the affirmative votes of not less than five members. No member of the Board shall pass upon any question in which the member, or any corporation in which the member is a shareholder, holds an interest. A member of the Board may provide design or construction services on permit applications that come before the Board provided that member abstains from both any discussion and any decisions the Board may take on those permit applications.

(h) Meetings. Meetings of the Board shall be scheduled at a regular place and time but not less than once monthly. The exact time and place shall be established by the Board in its rules and regulations of procedure. All meetings of the Board shall be public meetings. The regular meeting of the Board may be cancelled only when there are no applications pending before the Board or a quorum is not available.

(i) Decisions by Resolution. Every decision and recommendation of the Board shall be by

resolution filed with the Director. A copy shall be mailed to the applicant. A copy shall also be filed with the Director who shall notify interested bureaus or departments charged with the enforcement of the Building Code. The Board shall arrange for a subscription service to its agenda and decisions, the entire cost of which shall be borne by the subscribers.

(j) Record of Meetings. The Board shall maintain a tape recording of each meeting. Upon request, these tape recordings shall be made available for duplication by independent agencies with proper security afforded as determined by the Building Inspection Commission. All costs of duplication shall be borne by the party requesting duplication.

(k) Further Appeal. Any action of the Board may be appealed to the Building Inspection Commission as provided in Part Twenty-seven of the Charter provided however that, in considering such an appeal, the Building Inspection Commission shall not have any greater authority than that granted to the Board under sections (c) and (d) above. If the decision of the Building Inspection Commission differs from that of the Board, the Commission shall, in a written decision, specify wherein there was error in the interpretation of the provisions of the Code or abuse of discretion on the part of the Board, and shall specify in its findings, as part of such written decision, the facts relied upon in arriving at is decision.

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By Judith A. Rayzian

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 12, 1995	June 19, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Migden	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
114-94-1

JUN 30 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-95-32 ORDINANCE NO. 211-95

[Residential Rent Stabilization and Arbitration Fee]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 37A.1 TO EXEMPT CERTAIN DWELLING UNITS SOLELY OWNED BY A NON-PROFIT PUBLIC BENEFIT CORPORATION, TO EXEMPT CERTAIN RESIDENTIAL CARE OR ADULT DAY HEALTH CARE FACILITIES FOR THE ELDERLY, AND TO DELETE THE EXEMPTION FOR OWNER-OCCUPIED BUILDINGS CONTAINING FOUR DWELLING UNITS OR LESS.

NOTE: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 37A.1 to read as follows:

SEC.37A.1. SCOPE. This Chapter is applicable to all residential units in the City and County of San Francisco. For purposes of this Chapter, "residential units" are dwelling units and guest rooms as those terms are defined in Sections 203.4 and 203.7 of the San Francisco Housing Code. The term shall not include:

(a) Guest rooms exempted or excluded from regulation under Chapter 41 of this Code;

(b) Dwelling units in nonprofit cooperatives owned, occupied and controlled by a majority of the residents or dwelling units solely owned by a non-profit public benefit corporation governed by a board of directors the majority of which are residents of the dwelling units and where it is required in the corporate by-laws that rent increases be approved by a majority of the residents;

(c) Housing accommodations in any hospital, convent, monastery, extended

care facility, asylum, ((non-profit home for the aged)) residential care or adult day health care facility for the elderly which must be operated pursuant to a license issued by the California Department of Social Services, as required by California Health and Safety Chapters 3.2 and 3.3, or in dormitories owned and operated by an institution of higher education, a high school, or an elementary school;

(d) Dwelling units whose rents are controlled or regulated by any government unit, agency or authority, excepting those units which are subject to the jurisdiction of the Residential Rent Stabilization and Arbitration Board;

(e) Any dwelling unit for which the owner has on file with the Assessor a current homeowner's exemption;

(f) Any dwelling unit which is occupied by an owner of record on either a full-time or part-time basis and which is not rented at any time, provided that the owner file with the Tax Collector an affidavit so stating;

(((g) Owner-occupied buildings containing four dwelling units or less wherein the owner has on file with the Assessor a current homeowner's exemption or wherein the owner files with the Tax Collector an affidavit that states owner has resided in the building for a minimum of six months prior to November 1st;))

(((h))) (g) Dwelling units located in a structure for which a certificate of final completion and occupancy was first issued by the Bureau of Building Inspection after June 13, 1979;

(((i))) (h) Dwelling units in a building which, after June 13, 1979, has

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undergone substantial rehabilitation as that term is defined in Chapter 37 of this Code.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

JAMES H. CUMMING

0620s

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 12, 1995	June 19, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Migden	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-95-32

JUN 30 1995
Date Approved

Mayor

FILE NO. 97-95-33 ORDINANCE NO. 212-95

[Revolving Funds]

AMENDING CHAPTER 10, ARTICLE XV, OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.169-3 TO INCREASE THE AMOUNT HELD IN THE BOARD OF SUPERVISORS REVOLVING FUND.

Note: Additions are underlined, deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, Article XV, of the San Francisco Administrative Code is hereby amended by amending Section 10.169-3 to read as follows:

SEC. 10.169-3 CASH REVOLVING FUNDS -- BOARD OF SUPERVIORS; ((<u>$500.</u>)) <u>$1000</u>.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 12, 1995	June 19, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Migden	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 97-95-33

JUN 30 1995
Date Approved

Frank M. Jordan
Mayor

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JUL 21 1995
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FILE NO. 121-95-1 ORDINANCE NO. 213-95

(On-Street Vehicle Sales)

AMENDING SECTION 710.2 OF THE SAN FRANCISCO POLICE CODE TO REMOVE ZONING RESTRICTION FROM THE PROHIBITION OF PARKING OF VEHICLES FOR PURPOSE OF DISPLAYING SUCH VEHICLES FOR SALE.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 710.2 of the San Francisco Police Code is hereby amended to read as follows:

SEC. 710.2 ON STREET SALES PROHIBITED; EXCEPTION; REMOVAL OF VEHICLES AUTHORIZED. It shall be unlawful for any person to park a vehicle on an on-street parking place ((in an area designated under the City Planning Code as RH-1, RH-2 or RH-1(D))) for the purpose of displaying same for sale unless the vehicle is parked within 600 feet of the residence of the registered owner of the vehicle. Pursuant to Section 22651.9 of the California Vehicle Code, any vehicle parked on any street or highway within the City and County of San Francisco in violation of this Section may be removed and impounded in accordance with Article 9 of the

San Francisco Traffic Code, provided that (a) such vehicle has been issued a notice of parking violation for violation of this Section within the past 30 days, (b) such previous notice of parking violation was accompanied by a warning that an additional violation may result in the removal and impoundment of the vehicle, (c) a subsequent notice of parking violation was issued at least 24 hours prior to the removal of the vehicle, and (d) any other conditions to the removal of the vehicle set forth in Section 22651.9 of the California Vehicle Code have been satisfied.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Amy Wright
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
June 12, 1995	$	June 19, 1995
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisors Ammiano Leal Migden	$	
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-95-1

JUN 30 1995
Date Approved

Frank G. Jordan
Mayor

FILE NO. 45-95-20 ORDINANCE NO. 214-95

RO #94247

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF HOMER BOLTON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, MICHAEL HENNESSEY AND SHARON HEATH

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "BOLTON v. HENNESSEY, et al.," United States District Court No. C94-00620 WHO, by the payment of $72,500.

APPROVED AS TO FORM
AND RECOMMENDED

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED AND APPROVED
SHERIFF"S DEPARTMENT

MICHAEL HENNESSEY, Sheriff

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 06
309740 1450 $72,500.00

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading

June 19, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

June 26, 1995

Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng

Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-20

JUL 7 1995
Date Approved

Mayor

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FILE NO. 93-95-29.1 ORDINANCE NO. 215-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE IRONWORKERS UNION, LOCAL 377 AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers Union, Local 377 awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

59361

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Migden Shelley Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
93-95-29.1

JUL 7 1995
Date Approved

Frank G. Jordan
Mayor

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FILE NO. 93-95-30 ORDINANCE NO. 216-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE STIPULATED ARIBTRATOR'S AWARD OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPUTY SHERIFF'S ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the stipulated Arbitrator's award of a Memorandum of Understanding between the Deputy Sheriff's Association and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1998. The Memorandum of Understanding so implemented is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

61011

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Alioto Migden Shelley Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-30

JUL 7 1995
Date Approved

Mayor

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FILE NO. 93-95-31.1 ORDINANCE NO. 217-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MUNICIPAL EXECUTIVES ASSOCIATION FOR BARGAINING UNITS M and EM AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association for bargaining units M and EM awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vashi A. Clayton
DEPUTY CITY ATTORNEY

59371

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-31.1

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 93-95-32 ORDINANCE NO. 218-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TEAMSTERS LOCAL 350 AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the Memorandum of Understanding between the City and County of San Francisco and the Teamsters Local 350 awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

61431

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Alioto Migden Shelley Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
93-95-32

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 93-95-33 ORDINANCE NO. 219-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TEAMSTERS LOCAL 856 AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the Memorandum of Understanding between the City and County of San Francisco and the Teamsters Local 856 awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

61431

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Alioto Migden Shelley Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-33

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
AUG 10 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-34 ORDINANCE NO. 220-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE UNION OF AMERICAN PHYSICIANS AND DENTISTS AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Union of American Physicians and Dentists and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1997. The provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

61821

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Alioto Migden Shelley Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-34

JUL 7 1995

Date Approved

Mayor

DOCUMENTS DEPT.
AUG 10 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-35 ORDINANCE NO. 221-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATOR

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the amendment to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO awarded by the arbitrator pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The amended provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie G. Clayton
DEPUTY CITY ATTORNEY

61371

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Alioto Migden Shelley Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-35

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
AUG 10 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-36 ORDINANCE NO. 222-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE TRANSPORT WORKERS UNION, LOCAL 250-A (7410 AUTOMOTIVE SERVICE WORKER) AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the Memorandum of Understanding between the Transport Worker's Union, Local 250-A (7410 automotive service worker) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vubi A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 93-95-36

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-36.1 ORDINANCE NO. 223-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TRANSPORT WORKERS UNION, LOCAL 250-A, (AUTOMOTIVE SERVICE WORKER) AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL , AS AMENDED.

gj 6/21

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A, (7410 Automotive Service Worker) awarded by the panel of arbitrators, as amended, pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The provisions so enacted are on file in the office of the Board of Supervisors.

gj 6/21

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 93-95-36.1

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
AUG 10 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-37 ORDINANCE NO. 224-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE AUTOMOTIVE MACHINISTS, LOCAL 1305 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Automotive Machinists, Local 1305 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-37

JUL 7 1995
Date Approved

Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-38 ORDINANCE NO. 225-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING MATERIAL AND CONSTRUCTION TEAMSTERS, LOCAL 216 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-38

JUL 7 1995
Date Approved

Mayor

DOCUMENTS DEPT.
JUL 18 1995
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PUBLIC LIBRARY

FILE NO. 93-95-39 ORDINANCE NO. 226-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, LOCAL 1327 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the International Association of Machinists & Aerospace Workers, Local 1327 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-39

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-40 ORDINANCE NO. 227-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 6 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-40

JUL 7 1995
Date Approved

Mayor

DOCUMENTS DEPT.
JUL 18 1995
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cc

FILE NO. 93-95-41 ORDINANCE NO. 228-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE LABORER'S UNION, LOCAL 261 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Laborer's Union, Local 261 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-41

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-42 ORDINANCE NO. 229-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 790 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vubi A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-42

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-43 ORDINANCE NO. 230-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATIONARY ENGINEERS, LOCAL 39 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Stationary Engineers, Local 39 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vulie A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 93-95-43

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-44 ORDINANCE NO. 231-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TRANSPORT WORKER'S UNION, LOCAL 250-A (9163 TRANSIT OPERATORS AND RELATED TRAINEE CLASSES) AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JUNE 30, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Transport Worker's Union, Local 250-A (9163 Transit Operators and Related Trainee Classes) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective June 30, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-44

JUL 7 1995
Date Approved

Mayor

DOCUMENTS DEPT.
JUL 18 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-45 ORDINANCE NO. 232-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE TRANSPORT WORKERS UNION, LOCAL 200 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING FOR EMPLOYEE ASSISTANCE FOR DRUG AND ALCOHOL DEPENDENCY FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1996.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the the Memorandum of Understanding between the Transport Worker's Union, Local 200 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency to be effective July 1, 1995 through June 30, 1996. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-45

JUL 7 1995
Date Approved

Mayor

DOCUMENTS DEPT.
JUL 18 1995
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AS AMENDED IN COMMITTEE - 6/21/95

FILE NO. 93-95-46 ORDINANCE NO. 233-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TRANSPORT WORKERS UNION, LOCAL 200, SEAM AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL, AS AMENDED.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200, SEAM awarded by the panel of arbitrators, as amended, pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-46

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
AUG 1 0 1995
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PUBLIC LIBRARY

FILE NO. 93-95-47 ORDINANCE NO. 234-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TRANSPORT WORKERS UNION, LOCAL 250-A, FOR UNITS 8-AA, 8-BB, 11-Z, 11-CC AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL, AS AMENDED.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A, for units 8-AA, 8-BB, 11-Z, 11-CC awarded by the panel of arbitrators, as amended, pursuant to charter section 8.409 et seq. for the period July 1, 1995 through June 30, 1998. The provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 21, 1995	June 26, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
Absent: Supervisors Ammiano Leal Teng	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-47

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
AUG 10 1995
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AMENDMENT TO
MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY & COUNTY OF SAN FRANCISCO
AND

TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO
AND
TRANSPORT WORKERS UNION, LOCAL 250A

(FOR 9163 TRANSIT OPERATOR AND RELATED TRAINEE CLASSIFICATIONS)

FOR
FISCAL YEARS 1994-1995 & 1995-1996

DOCUMENTS DEPT.
JUL 18 1995
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TWU Local 250A and the Public Transportation Department ("PTD") hereby agree to create an Employee Assistance and Rehabilitation Program for the treatment of chemical and alcohol dependency for fiscal year 1995-1996 for persons employed in Civil Service Classification No. 9163 as follows:

A. Overview and General Principles

(1) Overview

This Employee Assistance and Rehabilitation Program (hereafter, "EAP") is designed to provide coverage for employees only, and to assist employees in consultation with their families where clinically appropriate, with problems that may affect their ability to perform their jobs. The EAP shall offer counseling services, including assessment and referral, brief treatment, and follow-up services.

EAP's offer assistance by helping employees assess and identify problems arising from a variety of personal areas.

EAP's assist employees by referring them to services which lead to solutions.

EAP's provide training and consultation services to management and union leadership regarding assisting troubled employees.

The primary goal of the EAP will be to maintain employee's ability to be fully productive on the job. EAP's help employees, management, and supervisors maintain a high level of service by:

Motivating employees to seek help,

Helping supervisors identify troubled employees with job performance problems that may be related to personal problems,

Assessing employees with alcohol abuse, drug abuse, family problems, depression, stress and other problems that can result in performance problems,

Providing easily accessible quality helping services which include short term problem solving and referrals to more intensive care,

Providing crisis intervention services,

Providing follow-up assistance to support and guide employees through the resolution of their problems, and by

Acting as an education and training resource.

Another part of this Agreement is to contract with an external vendor who will provide chemical dependency, psychiatric, and mental health coverage. The vendor selected shall supply EAP services and rehabilitation treatment including:

- Medical detoxification,
- Medical model in-patient treatment,
- Social model residential treatment,
- Intensive out-patient and day treatment,
- Pre-treatment education and values clarification, and
- Individual psychotherapy services.

Chart A illustrates the structure of the substance abuse program and how the Substance Abuse Professional (SAP) can access rehabilitation services provided through the EAP vendor. Chart B illustrates how the EAP will work. Employees shall be able to access the EAP through calling directly (self-referral), through the PTD peer counselors, through a supervisory referral based on job performance. Participation in the EAP is voluntary.

Employees who test positive for drugs or alcohol will be referred to the PTD SAP. Compliance with the SAP recommendations is required to return to work. Both the EAP and SAP can refer troubled employees to treatment services covered in the plan.

Establishing a voluntary EAP to compliment the mandatory testing program is intended to encourage employees to seek treatment early and on their own. The EAP will assist employees in obtaining information, guidance, and counseling to help them handle their problems before they become a drug testing or disciplinary issue.

The outside EAP vendor selected shall be required to establish a 24-hour telephone hotline for immediate and confidential self-referral.

The EAP is intended to help employees to:

- Assess and clarify their problems early,
- Develop a plan of action to resolve their problems,
- Determine if professional assistance is needed,
- Help employees find the right treatment for them,

- Supply a providers list with a range of services.

During fiscal year 1995-1996 PTD commits to work with the Union to evaluate the program established here with the goal of incorporating substance abuse treatment alternatives into the City's Health Service System plans beginning in fiscal year 1996-1997.

(2) Principles of a Rehabilitation Program

The PTD and the Union agrees that an effective rehabilitation program requires, as a minimum, the following three elements:

(a) A treatment program specifically tailored to the employee's level of substance abuse/dysfunction:

(b) Regular and rigorous monitoring of the employee for a period of time after completion of initial treatment according to DOT standards to ensure no return to alcohol or chemical usage dependency: and

(c) Continuing support group, including peer counseling, to insure that the employee remains sober and chemical-free.

B. Organization

(1) The Joint Labor-Management Committee:

(a) Membership and Meetings: Three (3) Committee members and two (2) Alternate members to be appointed by the Unions. Three (3) Committee members to be appointed by the City.

If the City chooses to appoint less than three persons, it shall still have voting strength equal to that of the Union. On the matters that come before the Committee, the City shall have one vote and the Union shall have one vote. The vote of each side shall be controlled by the votes of the Committee members present for each respective side.

The Committee shall elect from its ranks a Chairperson and a Co-Chair, one of whom shall be a City appointee and the other the Union's appointee. The Chair shall be held by one side for a year, then relinquished to the other side for the next year. Either the City or the Unions may replace their named Chair or Co-Chair at any time. The

Chair shall preside over meetings of the Committee. In the absence of the Chair, the Co-Chair shall so preside. The PTD Director shall provide staff support to the Committee as appropriate.

A quorum for the transaction of business by the Committee shall consist of two Union Committee members and two City Committee members.

(b) Functions: To review and make recommendations regarding the peer counselor program, the peer counselors to be hired, and the employee education program. The Committee shall report its recommendations to the PTD Director and the SAP or their designee for action.

(2) The PTD Director:

The PTD Director or designee will manage all aspects of the Substance Abuse Program. He/she shall have appointing and removal authority over all substance abuse program personnel, and shall be responsible for the supervision of the peer counselors and SAP, and administration of all substance abuse programs except those programs reserved to the Trust Fund pursuant to paragraph B(3) of this Agreement.

(3) The Trust Fund

(a) Role of the Trust Fund: The EAP/Rehab Program created pursuant to this Agreement shall be established and maintained by the Transport Workers-San Francisco Municipal Railway Trust Fund, a fund established pursuant to Section 8.404 of the Charter of the City and County of San Francisco. The parties' purpose in delegating this responsibility to the Trust Fund is to insure shared labor-management control of the Program during the term of this Agreement.

(b) Duties of the Board of Trustees: The Trust Fund Board of Trustees shall select the outside contractor who will provide the EAP/Rehab Program and monitor contract compliance.

(c) Confidentiality: The parties recognize that this Program cannot succeed without strict confidentiality. The Trust Fund and the Outside Contractor it selects shall administer the Program in strict observation of the confidentiality

required for the Program to succeed. Accordingly, neither the Board of Trustees nor the contractor it selects may disclose any information concerning the Program to any persons except as required for compliance with the DOT regulations.

(4) The Peer Counselor System:

(a) Structure:

A Peer Counselor system shall be established on a 24-hour, 7-day a week basis. The Peer Counselor shall provide daily coverage up to 40 hours per week for all Muni worksites or sections. A system-wide EAP crisis hotline shall be established. Night, weekend and holiday crisis coverage shall be provided by one of the Peer Counselors and shall be rotated among the Peer Counselors who shall be available on a pager. The full compensation of the Peer Counselor providing such coverage shall be pager pay.

(b) Qualifications:

1. An employee who is a former substance abuser who has been "clean" and/or sober for at least one year and who continues to participate in a 12 step program, or

2. An employee who is related to an addict or alcoholic and who has participated in a self-help group for co-dependency.

3. Who is willing to make a minimum of a two-year commitment as Peer Counselor, and

4. Who agrees to participate in prescribed training.

5. An employee who does not meet the criteria of 1 or 2 but who is willing to be trained and to commit for 2 years will also be considered, in the event there are not enough candidates that meet criteria 1 or 2.

6. An individual must be able to maintain confidentiality.

(c) Duties:

1. Be available to employees who appears to need or request assistance, to deal with chemical dependency.

2. Maintain strict confidentiality.

3. Identify the nature of the problem.

4. Discuss confidentiality of program with employees.

5. Receive clinical direction and training from the SAP and other CADAC Clinical Supervisors.

6. Discuss the options of available resources.

7. Refer the employee to the EAP.

8. Report to the Peer Counselor Coordinator as required.

9. Follow-up with employees during and after treatment subject to the direction of the Peer Counselor Coordinator and the clinical supervision by the SAP.

10. Staff the night, weekend and holiday crisis hotline (pager).

(d) Staffing:

1. One (1) full-time Peer Counselor Coordinator.

2. One (1) full-time Peer Counselor.

(e) Volunteer Peer Counselors:

1. Up to eight (8) Volunteer Peer Counselors.

2. Assist Peer Counselors upon request during their off-duty time.

3. They shall participate in designated training.

4. Their activities shall be within the limits of their training.

(f) Functions:

1. The Joint Labor/Management Committee shall develop the procedures for the peer counseling system after consultation with the SAP and/or PTD Director or designee.

C. Pay Status During Voluntary Self-Referral Treatment

(1) An employee who has a drug and/or alcohol abuse problem and has not been selected for drug and/or alcohol testing can voluntarily refer him/herself to the EAP for treatment. The EAP will evaluate the employee and make a specific determination of appropriate treatment. An employee who has completed two rehabilitation programs, may not elect further rehabilitation under this program.

(2) In the case of the up to two voluntary, employee-initiated referrals, the PTD will pay the employee the difference between his/her SDI benefits, use of accrued paid leaves, and any catastrophic illness benefits, and the employee's regular hourly base pay, for up to the eight hours per day for full-time employees and up to three hours per day for part-time employees, up to a maximum of twenty-one work days during a five year period. This provision shall not apply in the event the employee does not receive SDI benefit payments or during the follow-up period established by the SAP after a positive test.

D. Non-Paid Status During Treatment After Positive Test

The employee will be in a non-pay status during any absence for evaluation or treatment, while participating in a rehabilitation program.

E. Education and Training

The foundation of this Program is education and voluntary compliance. It is recognized that alcohol and chemical dependency may make voluntary cessation of use difficult, and one of the Program's principal aims is to make voluntary steps toward ending substance abuse easily available.

The Joint Labor/Management Committee shall review and develop on-going educational and training information on the adverse consequences of substance abuse, their responsibility to avoid being under the influence of alcohol or chemicals at work, and the rehabilitation program to be established under this Program. The

PTD Director and the SAP shall act on the training program developed by the Committee. Certain training required by the DOT Regulations shall be conducted by the SAP.

F. Confidentiality

Participation in the EAP shall be confidential and shall be conducted in accordance with DOT and DHHS standards.

G. Funding

During fiscal year 1995-1996 the Employee Assistance/Rehabilitation Program shall be funded through the Transport Workers-San Francisco Municipal Railway Trust Fund in an amount not to exceed $150,000.

H. Special Provisions

Any proposed discipline resulting from the FTA Drug and alcohol testing program shall be in accordance with the MOU's. The PTD and the City recognize the rights of employees and/or the Unions, who may consider themselves aggrieved by any discipline proposed, to raise such grievance through the authorized grievance procedure. The PTD Director will act in a fair and equitable manner, and shall prescribe that no personnel hired, contracted, selected or directly involved in the drug and alcohol testing program shall propose or render discipline.

Signed this _____ day of June, 1995.

CITY & COUNTY OF SAN FRANCISCO

OFFICE OF THE MAYOR

_____

Frank Jordan, Mayor

_____

Wendell L. Pryor, Director, Human Resources Dept.

PUBLIC TRANSPORTATION COMMISSION

_____

Philip H. Adams, Director, Public Transportation

TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO

Lawrence B. Martin, International Vice President

TRANSPORT WORKERS UNION OF AMERICA, LOCAL 250A

Joseph W. Barnes, President

William K.Y. Jung, Secretary-Treasurer

Claire Caldwell, Executive Vice President

APPROVED AS TO FORM:

Louise Renne, City Attorney

By: _____
Deputy City Attorney

APPROVED AS TO FORM:

By: _____
Geoffrey Piller, Beeson, Tayer & Bodine, Counsel to the Union

F:\\MTD\TW250\EAPPOL2.FNL

CONSEQUENCES OF POSITIVE DRUG/ALCOHOL TESTS
(9163's)

Testing Types		Assumption of Results	Employee Status Waiting for Results	1st Positive	2nd Positive Within 5 Years
Pre-Employment	Drug	N/A	N/A	Not hired, may not reapply.	Not hired, may not reapply.
Random	Drug	Assumed Negative	On Duty	Removed from Duty[1] No pay,[2], Referred to SAP SAP Recommendation for Treatment, Return to Duty Test,[3], Follow-Up Testing, Subject to Disciplinary Action.	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.
Random	Alcohol > or = .04	Positive	Immediate Results	Removed from Duty[1] No pay,[2], Referred to SAP SAP Recommendation for Treatment, Return to Duty Test,[3], Follow-Up Testing, Subject to Disciplinary Action.	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.
Post Accident	Drug or Alcohol	Assumed Negative	On Duty	Removed from Duty[1] No pay, Referred to SAP, SAP Recommendation for Treatment, Return to Duty Test,[3], Follow-up Testing, Subject to Disciplinary Action.[4]	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.

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[1] Any employee who is subsequently determined to be the subject of a false positive or under reasonable suspicion tests negative shall be made whole for any wages and benefits lost.

[2] Employee may use accumulated sick/vacation pay for rehabilitation program.

[3] Employee may not return to work until SAP certifies them capable of returning to their safety-sensitive job.

[4] Disciplinary action to be a 30-day suspension except that a first positive relating to an incident resulting in death, serious bodily injury or substantial destruction of property may warrant discipline up to and including discharge.

Testing Types		Assumption of Results	Employee Status Waiting for Results	1st Positive	2nd Positive Within 5 Years
Reasonable Suspicion	Drug or Alcohol	Assumed Positive	Off Duty Until Results Received	Removed from Duty[1] No pay, Referred to SAP, Return to Duty Test,[3], Follow-Up Testing, Subject to Disciplinary Action.[4]	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.
Return-to-Duty	Drug or Alcohol	Assumed Negative	Off Duty Until Results Received	N/A	Will be Subject to Termination Except where Substantial Mitigating Circumstances Warrant.
Follow-Up Testing Minimum 6 in 1 year up to 60 months, determined by SAP	Drug or Alcohol	Assumed Negative	On Duty	N/A	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant

Issues		1st Occurrence	2nd Occurrence Within 5 Years
Refusal to Test	Drug or Alcohol	Removed from Duty.[1] No pay. Referred to SAP for treatment recommendation. Return to duty and follow-up testing. Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.
Failure to Comply with Treatment Program or Return to Work Agreement	Drug or Alcohol	Off work.[1] No pay. Referred to SAP for treatment recommendation. Return to Duty and follow-up testing. Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.
Alteration of Specimen	Drug or Alcohol	Will be Subject to Termination Except Where Substantial Mitigating Circumstances Warrant.[1]	Termination.

LETTER OF UNDERSTANDING
BETWEEN
TWU OF AMERICA, AFL-CIO, TWU LOCAL 250A,
AND
THE PUBLIC TRANSPORTATION COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO
CONCERNING
DRUG AND ALCOHOL REHABILITATION

The parties hereto, Transport Workers Union of America, AFL-CIO, Transport Workers Union of America, Local 250A and the Public Transportation Commission, are signatory to an Agreement to create an Employee Assistance and Rehabilitation Program for treatment of chemical and alcohol dependency for fiscal year 1995-1996 for persons employed in Civil Service Classification No. 9163 (hereinafter "the Agreement"). This letter is intended by the parties to supplement that Agreement as follows:

(1) Section A(1) of the Agreement establishes as a joint goal of the parties incorporation of substance abuse treatment alternatives into the City's Health Service System plans beginning in fiscal year 1996-1997. The parties acknowledge that any substance abuse treatment alternative so incorporated is subject to the approval of the Health Service System.

(2) Section B(4)(e) of the Agreement establishes a Volunteer Peer Counselor program. The parties acknowledge that volunteer peer counselors will receive no compensation or other benefits from the City for their volunteer duties.

Agreed this _____ day of June, 1995.

CITY & COUNTY OF SAN FRANCISCO

Wendell Brown

TWU OF AMERICA, AFL-CIO

Larry Martin
Int'l Vice President

TWU LOCAL 250A

Joseph W. Burnes
President

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CHART A

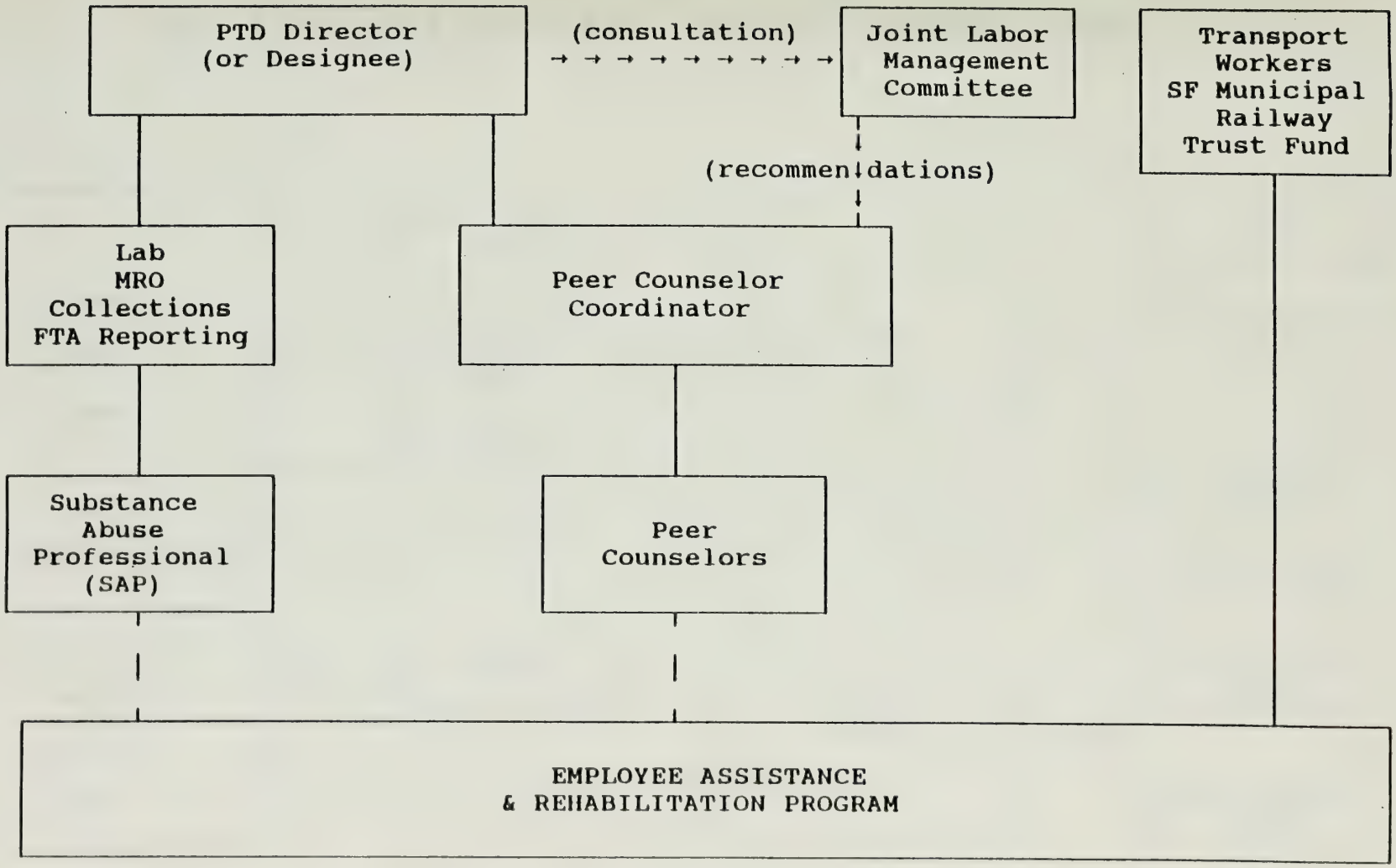

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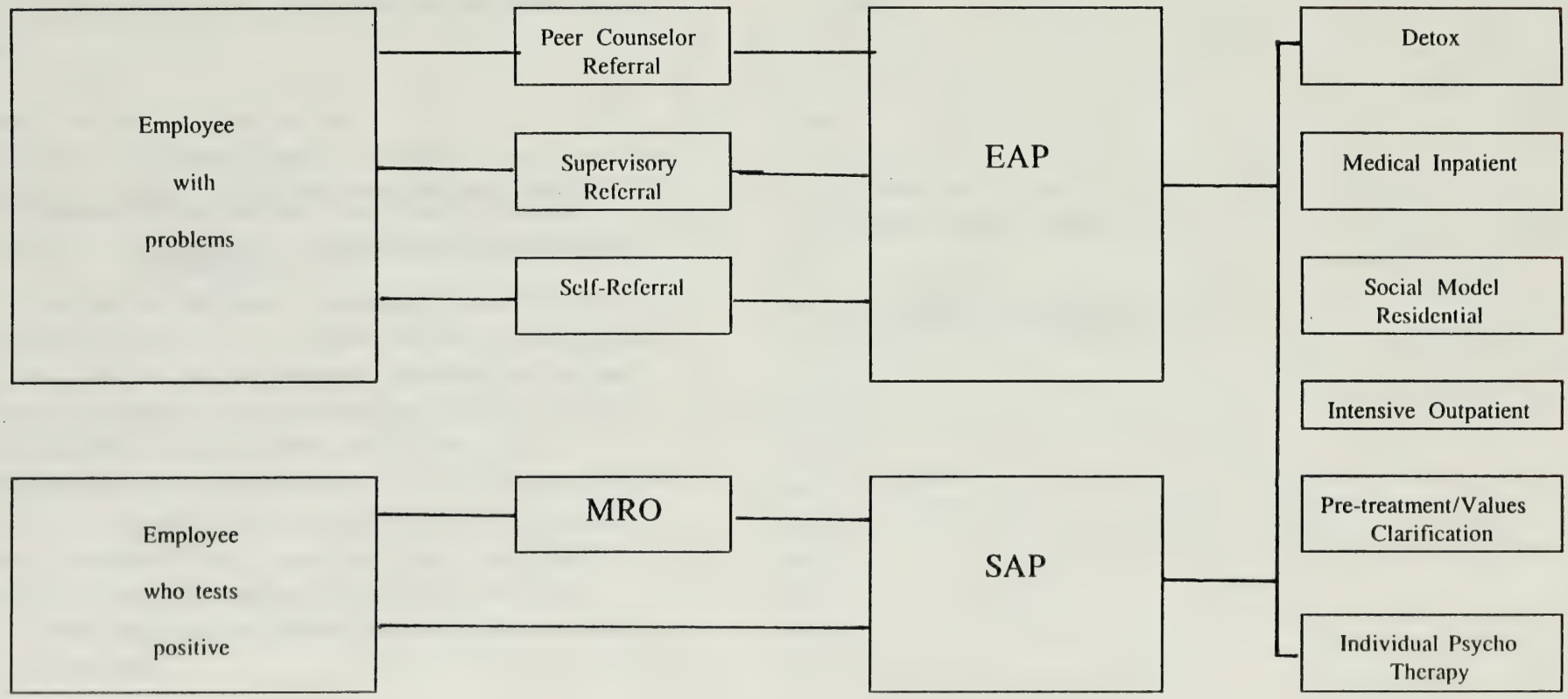
CHART B

PTD - LOCAL 250-A ASSISTANCE PROGRAM SERVICE ACCESS



FILE NO. 97-95-5 ORDINANCE NO. 235-95

(City Seal - Authorized Use)

AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 1.6-A THERETO, AUTHORIZING THE CLERK OF THE BOARD, UPON THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER, TO APPROVE THE USE OF THE CITY SEAL ON ITEMS PROPOSED BY THE CHIEF ADMINISTRATIVE OFFICER, AND ALLOWING ITEMS WITH THE APPROVED USE OF THE CITY SEAL TO BE OFFERED FOR SALE BY THE CITY AND COUNTY OF SAN FRANCISCO.

NOTE: This entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 1 of the San Francisco Administrative Code is hereby amended by adding Section 1.6-A to read as follows:

SEC. 1.6-A. CORPORATE SEAL -- ITEMS OFFERED FOR SALE BY THE CITY AND COUNTY.

(a) The Clerk of the Board is empowered to authorize the use of the City Seal on items that are offered for sale by the City and County of San Francisco for the purpose of promoting the City and County of San Francisco. Prior to authorizing such use the Clerk shall procure from the Chief Administrative Officer a plan describing the items that would bear the City Seal. Such plan shall include the criteria used in determing the proposed items and an analysis of the marketability of each item. Only those items bearing the City Seal that have been authorized by the Clerk pursuant to this section may be offered for sale by the City and County of San Francisco.

(b) During the first two years after the effective date of this ordinance, the Chief Administrative Officer shall quarterly submit in writing to the Board of Supervisors a report detailing uses of the City Seal approved by the Clerk of the Board under provisions of this Section.

(c) This Section shall expire three years after its effective date.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: BEWt
Deputy City Attorney

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AUG 10 1995
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-95-5

JUL 7 1995
Date Approved

Mayor

FILE NO. 97-95-24 ORDINANCE NO. 236-95

(City Store)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 1.48 AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER OR THE PURCHASER TO ESTABLISH A MUNICIPAL STORE FOR THE PURPOSE OF SELLING CITY SURPLUS GOODS AND SOUVENIR MERCHANDISE BEARING CITY MARKS, LOGOS, EMBLEMS, SYMBOLS AND DESIGNS TO PROMOTE AND ADVERTISE THE CITY AND COUNTY OF SAN FRANCISCO, OFFER SUCH MERCHANDISE THROUGH DIRECT MAIL CATALOGUE PROGRAMS AND AGREEMENTS WITH RETAILERS AND DISTRIBUTORS AND TO ENSURE THAT DEPARTMENTS OR COMMISSIONS OFFERING GOODS FOR SALE ARE CREDITED WITH THE PROFITS FROM THE SALE OF THEIR GOODS.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 1.48 to read as follows:

Section 1.48.

(a) FINDINGS. The Board of Supervisors hereby finds and declares that the establishment of a San Francisco City Store which sells surplus or salvage City goods and souvenir merchandise bearing City marks, logos, emblems and symbols to the public shall serve the purpose of increasing public awareness of and participation and civic pride in the City and County of San Francisco. It shall also help to promote the City as a world wide tourist destination and convention center, thereby

SUPERVISOR LEAL

benefiting the overall economy of the City.

(b) ESTABLISHMENT OF A CITY STORE. The Chief Administrative Officer or the Purchaser is hereby authorized to take all actions necessary to establish a San Francisco City Store for the purpose of selling to the public City surplus or salvage goods offered by any department or commission for such purpose, newly manufactured souvenir merchandise bearing City marks, logos, emblems, symbols and designs and duplicates of unique goods routinely purchased by the City to promote and advertise the City and County of San Francisco.

(1) The Chief Administrative Officer or the Purchaser may also provide for the sale of City Store merchandise through direct mail catalogue programs and agreements with retailers and distributors.

(2) The Chief Administrative Officer or Purchaser shall ensure that a portion of the profits from the sale of City surplus or salvage goods is credited to the department or commission which offered them for sale, with the exception that all revenues received by City from the sale of salvage goods which were originally purchased with monies from a special fund shall be credited to the account of such special fund.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Angela Kirkpatrick
Deputy City Attorney

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AUG 10 1995
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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
June 19, 1995	$	June 26, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	$	Ayes: Supervisors Ammiano Hallinan Hsieh Kennedy Leal Migden Shelley Teng
	$	
	$	Absent: Supervisors Alioto Bierman Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-95-24

JUL 7 1995
Date Approved

Frank G. Jordan
Mayor

FILE NO. 97-95-30 AMENDMENT OF THE WHOLE 6/7/95 ORDINANCE NO. 237-95

(Adult Probation Booking Fee)

AMENDING CHAPTER 8 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 8.38 THERETO, ESTABLISHING AND ALLOWING THE CITY AND COUNTY OF SAN FRANCISCO TO COLLECT A BOOKING FEE FOR PERSONS PLACED ON PROBATION.

Note: This text is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby elects to adopt an ordinance pursuant to Section 29550.3 of the Government Code to authorize the City and County to establish and collect an administrative fee based on the standards and procedures set forth in Section 29550.1 of the Government Code from persons arrested, convicted and placed on probation.

Section 2. Chapter 8 of the San Francisco Administrative Code is hereby amended by adding Section 8.38 thereto to read as follows:

Section 8.38 ADULT PROBATION BOOKING FEE

(a) Subject to the conditions and limitations of Section 29550.3 of the Government Code, the City and County of San Francisco elects to establish and collect an administrative fee pursuant to the standards and procedures set forth in Section 29550.1 of the Government Code to be collected from persons arrested, convicted, and subsequently placed on probation. This fee shall be established by the Controller in consultation with the Sheriff's Department, and shall be collected by the Adult Probation Department.

/ / /

(b) The fee authorized by subsection (a) shall reflect but not exceed the actual administrative costs, including applicable overhead costs, incurred in processing arrested persons. The fee shall be set initially at $125.00. The Controller shall, not later than January 1 of each year, reexamine and if necessary, adjust the fee to ensure that it continues to reflect the costs of the services provided, except that the fee shall in no event exceed $150.00. Proceeds received from collection of the fee shall be deposited in the General Fund.

(c) At the time the court grants probation, the Adult Probation Department shall request that the defendant be ordered to pay the fee authorized by subsection (a). However, a defendant shall not be required to pay the fee if the court determines, based upon the following criteria, that the defendant lacks the ability to pay. A defendant's ability to pay shall mean his or her overall capability to pay the fee authorized by subsection (a). Evaluation of a defendant's ability to pay shall include, but shall not be limited to, the individual's:

(1) Present financial position.

(2) Reasonably discernible future financial position. In no event shall the court consider a period of more than six months from the date that probation is granted for purposes of determining reasonably discernible future financial position.

(3) Likelihood that the defendant shall be able to obtain employment within six months from the date probation is granted.

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(4) Any other factor or factors that may bear upon the defendant's financial capability to reimburse the county for the costs.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Noes: Supervisors Ammiano Bierman	Noes: Supervisors Ammiano Bierman
	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-95-30

JUL 7 1995
Date Approved

Mayor

CITY AND COUNTY OF SAN FRANCISCO

CONSOLIDATED BUDGET

AND

INTERIM ANNUAL APPROPRIATION ORDINANCE

FISCAL YEAR ENDING JUNE 30, 1996

File No. 101-95-1 Ordinance No. 238-95

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-95-1

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

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CITY AND COUNTY OF SAN FRANCISCO

INTERIM ANNUAL SALARY ORDINANCE

1995-1996

ORIGINAL
When Stamped In Red

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 19, 1995	June 26, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-95-1

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 127-95-006 ORDINANCE NO. 240-95

[HOTEL TAX ALLOCATION]

AMENDING ARTICLE 7 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 515 TO BASE ALLOCATIONS OF HOTEL TAX REVENUES ON REVENUES RECEIVED IN THE IMMEDIATELY PRIOR FISCAL YEAR RATHER THAN ON ESTIMATED REVENUES FOR THE ALLOCATION YEAR.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 7 of Part III of the San Francisco Municipal Code is hereby amended by amending Section 515 to read as follows:

SEC. 515. ADMINISTRATION AND AUTHORITY OF TAX COLLECTOR GENERALLY; HOTEL ROOM TAX FUND ALLOCATIONS THEREFROM. The Tax Collector shall enforce the provisions of this Article and may prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of this Article. The Tax Collector may prescribe the extent to which any ruling or regulations shall be applied without retroactive effect.

The Tax Collector shall transmit all monies collected pursuant to this Article to the Treasurer for deposit to the credit of a fund to

be known as the "Hotel Room Tax Fund." Such fund shall be used solely for the following purposes:

(1) Commencing on July 1, 1993, 51.77 percent of the total amount of the monies credited to the Hotel Room Tax Fund which are attributable to occupancies on and after July 1, 1984 shall be specifically allocated to and set aside for the following purposes provided that such percent shall be 51.65 percent in fiscal year 1994-95 and 51.53 percent in fiscal year 1995-96 and thereafter, and provided further that commencing in fiscal year 1995-96, all allocations made pursuant to this Subsection (1) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year:

(a) Prior to the commencement of Base Rental (as such term is defined in the Project Lease between the City and County of San Francisco [hereinafter referred to as "City"] and the San Francisco Redevelopment Agency) for the acquisition, construction and financing of a convention center within the Yerba Buena Center Redevelopment Project Area [hereinafter referred to as "Project Area"], together with all excavation, filling, works, properties and structures necessary or convenient therefor, and for the preparation of architectural plans, engineering studies and such other and further expenses relating to the financing, construction and completion of said convention center, and for all expenses reasonably related to operation, maintenance and improvement of Brooks Hall and Civic Auditorium; and

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(b) After commencement of Base Rental under said Project Lease, for Base Rental and Additional Rental as provided for in said Project Lease, and for all expenses reasonably related to operation, maintenance and improvement of said convention center, Brooks Hall and Civic Auditorium.

(c) Commencing on July 1, 1993, 9.88 percent of the total estimated annual revenue in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993 shall be specifically appropriated to the Office of the Chief Administrative Officer to contract with the San Francisco Convention and Visitors Bureau consistent with the authority conferred upon the Chief Administrative Officer by Charter Section 3.201 to pay the administrative and operation expenses of the San Francisco Convention and Visitors Bureau. The percent in fiscal year 1994-95 shall be 9.82 percent and the percent in fiscal year 1995-96 and thereafter shall be 9.76 percent, provided that commencing in fiscal year 1995-96, all allocations made pursuant to this Subparagraph (c) of Subsection (1) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

The monies allocated and set aside pursuant to this Subsection (1) are appropriated to the Office of the Chief Administrative Officer, which is hereby authorized to expend such monies for the purposes set forth in this Subsection (1).

(2) Commencing June 30, 1978, 6.23 percent of the total amount of the monies credited to the Hotel Room Tax Fund, attributable to

occupancies on and after June 30, 1978, pursuant to this Article for a period not to exceed 30 years, less $60,000 a year, shall be specifically appropriated to the Office of the Chief Administrative Officer to facilitate the construction of low-income housing in the Project Area and on certain parcels adjacent thereto, including, as may be necessary, payments for architecture, engineering, maintenance and operation, construction, financing and rent supplements for low-income households; provided however that commencing in fiscal year 1995-96, all allocations made pursuant to this Subsection (2) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year, and provided, ((however,)) that expenditures of the funds derived from the allocation set forth in this Subsection (2) are to be made in accordance with the following budgetary limitations.

(A) The first available funds shall be used exclusively to facilitate development of low-cost housing in the Project Area and on certain parcels adjacent thereto, including, but not limited to, expenses pertaining to the preparation of architectural and engineering programs, plans, specifications, estimates, land acquisition and expenses incurred by the City.

(B) The funds next available in excess of the amount required for the purposes described in (A) above shall be used exclusively to finance the construction of low-cost housing in the Project Area and on certain parcels adjacent thereto, including lease rental payment in support of Redevelopment Agency bonds [in the maximum principal amount

feasible pursuant to the Controller's estimate of future revenues to be derived from 6.23 percent of the Hotel Room Tax Fund less $60,000 per year provided for in this Subsection (2)], or, alternatively, mortgage payments for other financing used to facilitate the construction of housing; and also including costs of maintenance, operation, furniture and equipment relative to said housing and the administration thereof.

(C) The funds next available in excess of the amount required for the purposes described in (A) and (B) above shall be used to provide the funds necessary to reduce rentals to 100 percent of the units of housing constructed in the Project Area and on certain parcels adjacent thereto to rent-level categories equivalent to those then in effect in public housing in the City.

(D) The funds next available in excess of the amount required for the purposes described in (A), (B) and (C) above shall be retained in a maintenance, operation, furniture and equipment reserve fund which shall be allowed to accumulate in the maximum annual amount of $100,000 up to a maximum collective amount of $1,000,000 to insure the maintenance and operation of the housing constructed in the Project Area and on certain parcels adjacent thereto.

(E) Notwithstanding the foregoing budgetary limitations, commencing on January 1, 1987, $400,000 per year for a period of 10 years, not to exceed a total sum of $4,000,000, shall be specifically allocated and set aside by the Chief Administrative Officer, from the allocation set forth in this Subsection (2), for rent supplements for

low-income households or other subsidies which may be required for transfer to the rent supplement program under the jurisdiction of the Mayor for administration and rent supplements, such administration cost not to exceed eight percent of the total sum allocated for rent supplement.

(F) Funds next available in excess of the amount required for the purposes described in (A), (B), (C), (D) and (E) above shall be applied to construct or rehabilitate low-income rental housing for the elderly and physically handicapped in San Francisco which meet all of the following criteria:

(i) One hundred percent of the units are rental, excepting staff-occupied units, which are affordable to low-income elderly households and will remain so for 40 years;

(ii) The project is developed and controlled during that period by a nonprofit corporation, not excluding partnership ownership where the nonprofit corporation is the managing general partner;

(iii) Additional project funding includes funding from sources other than City and County of San Francisco.

(G) The funds next available in excess of the amount required for the purposes described in (A), (B), (C), (D), (E) and (F) above may be applied, at the sole option of the City, to the early retirement of bonds or other evidence of indebtedness used to finance low-cost housing in the Project Area or certain parcels adjacent thereto; or may be applied to pay for bridges, ramps, concourse and landscaping to further enhance the convention center in the Project

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Area.

(H) Notwithstanding any other provisions of this Subsection (2), to the extent that the City becomes obligated to make lease rental payments to the Redevelopment Agency in support of Redevelopment Agency low-income housing lease revenue bonds or a series of such bonds, the obligation of the City to make the appropriate allocations referred to in this Subsection (2) shall be deemed proportionately discharged. In the event that such bonds are paid and discharged prior to maturity, the foregoing obligation to make such appropriations and allocations shall be deemed to be proportionately discharged.

(I) In the event that other public and private funds in the future become available to construct or otherwise subsidize the low-income housing and related expenses hereinabove referred to, the Redevelopment Agency or the City may use such funds in lieu of the proceeds of the sale of the Redevelopment Agency low-income housing lease revenue bonds hereinabove described, and, to the extent that such funds become available and are utilized, the obligations of the Redevelopment Agency and the City to finance the low-income housing hereinabove described shall be deemed to be proportionately discharged.

(J) Once each year, as soon as practicable after June 30th, the Chief Administrative Officer shall ascertain the amount of money appropriated pursuant to this Subsection (2) which has not been expended or reserved for a specific use as provided herein and shall, following a period of public comment, prepare a report setting forth a

program for expenditure of such money.

(4) Commencing on June 30, 1978 an additional $100,000 per year for a period not to exceed 30 years shall be set aside to the Office of the Chief Administrative Officer for use in facilitating the production of low-income housing in the Project Area and on certain parcels adjacent thereto, as provided for in Subsection (2) and this Subsection (4).

(5) Commencing on July 1, 1993, 9.88 percent of the total amount of the monies collected and deposited in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993 shall be specifically appropriated to the War Memorial Special Fund to be used only to defray the cost of maintaining, operating and caring for the War Memorial buildings and grounds as described in Section 27.3 of the San Francisco Administrative Code. The percent in fiscal year 1994-95 shall be 9.82 percent and the percent in fiscal year 1995-96 and thereafter shall be 9.76 percent, provided that commencing in fiscal year 1996-97, all allocations made pursuant to this Subsection (5) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

(6) Any unexpended balances remaining in the allocations as set forth in Subsections (1), (2), (4), (5), (6), (13) and (14) at the close of any fiscal year shall be deemed to be provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in said allocations for the purposes recited herein. Any monies previously allocated pursuant to

the provisions of Ordinances No. 225-73, No. 502-76 and No. 54-82 shall be carried forward by the Controller for the uses specified in Subsections (1), (2), (4) and (5).

(7) Commencing on June 30, 1978, 6.23 percent of the total amount of the monies collected and deposited in the Hotel Room Tax Fund, attributable to occupancies on and after June 30, 1978, shall be specifically allocated and set aside for Base Rental and Additional Rental as provided in the 1977 Amended Park Lease between the City and County of San Francisco and San Francisco Stadium, Inc. for the improvement and expansion of the Recreation Center located at Candlestick Park, provided that commencing in fiscal year 1995-96, all allocations made pursuant to this Subsection (7) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

(8) Administration of the provisions of this Article, cost of which shall not exceed two/tenths of one percent (0.2%) of the total amount ((collected)) of revenues that accrued in the Hotel Room Tax Fund in the immediately prior fiscal year.

(9) Refunds of any overpayment of the tax imposed hereunder.

(10) Commencing on July 1, 1993, 16.38 percent of the total estimated annual revenue in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993, shall be specifically appropriated to the Office of the Chief Administrative Officer to be used for publicity and advertising purposes pursuant to the provision of Section 3.201 of the Charter for cultural and promotional

organizations and annual or regularly recurring parades, celebrations and street fairs. The percent in fiscal year 1994-95 shall be 16.32 percent and the percent in fiscal year 1995-96 and thereafter shall be 16.26 percent, provided that commencing in fiscal year 1995-96, all allocations made pursuant to this Subsection (10) shall be based on the amount of monies that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year, and provided further that at such time as no more funds are required under Subsection (7) above, two percent of the total amount of monies collected and deposited in the Hotel Room Tax Fund in the immediately prior fiscal year shall be added herein for the arts.

(11) Commencing on July 1, 1993, one-quarter percent (.25%) of the total estimated annual revenue in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993, shall be specifically appropriated to the Office of the Chief Administrative Officer to be used for publicity and advertising purposes pursuant to the provisions of Section 3.201 of the Charter for nonrecurring parades, celebrations and street fairs and for unforeseen special contingencies, provided that commencing in fiscal year 1995-96, all allocations made pursuant to this Subsection (11) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

The Chief Administrative Officer is hereby authorized and directed to expend from monies appropriated in Section 515 (10) and (11) those sums in his discretion deemed necessary to evaluate and

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review cultural, artistic or advertising programs funded for publicity and advertising purposes.

(12) Commencing on July 1, 1993, the following percent of the total estimated annual revenue in the Hotel Room Tax Fund attributable to occupancies on or after July 1, 1993 shall be specifically appropriated to the Cultural Equity Endowment Fund for cultural equity initiatives, commissions to individual creative artists in all disciplines, project grants to small and midsize arts organizations, and artspace initiatives or facilities acquisition program:

(a) Fiscal year 1993-94: 1.25%;

(b) Fiscal year 1994-95: 1.75%;

(c) Fiscal year 1995-96 and thereafter: 2.25%; provided that commencing in fiscal year 1995-96, all allocations made pursuant to this Subsection (12) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

(13) Commencing on July 1, 1993, the following percent of the total estimated annual revenue in the Hotel Room Tax fund attributable to occupancies on or after July 1, 1993 shall be specifically appropriated to the Asian Art Museum of San Francisco for the operation and maintenance of the Asian Art Museum of San Francisco:

(a) Fiscal year 1993-1994: 2.160%;

(b) Fiscal year 1994-1995: 2.100%;

(c) Fiscal year 1995-1996 and thereafter: 2.045%; provided that commencing in fiscal year 1996-97, all allocations made pursuant to

this Subsection (13) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

(14) Commencing on July 1, 1993, the following percent of the total estimated annual revenue in the Hotel Room Tax Fund attributable to occupancies on and after July 1, 1993, shall be specifically appropriated to the Fine Arts Museums of San Francisco for the operation and maintenance of the Fine Arts Museums of San Francisco:

(a) Fiscal year 1993-1994: 5.560%;

(b) Fiscal year 1994-1995: 5.360%;

(c) Fiscal year 1995-1996 and thereafter: 5.155%, provided that commencing in fiscal year 1996-97, all allocations made pursuant to this Subsection (14) shall be based on the amount of revenues that accrued to the Hotel Room Tax Fund in the immediately prior fiscal year.

(15) Notwithstanding anything to the contrary in this Section 515, for Fiscal Year 1993-94: (A) no allocations required by Subsections (1), (2), (4), (5), (6), (7), (8), (9), (10) and (11) herein shall exceed the actual amounts allocated pursuant to this Section 515 in Fiscal Year 1992-93; (B) the specific purpose allocation required by Subsection (13) herein shall not exceed $1.43 million; and (C) the specific purpose allocation required by Subsection (14) herein shall not exceed $4.45 million.

(16) Notwithstanding anything to the contrary in this Section 515, for Fiscal Year 1994-95 no allocations required by Subparagraph

(c) of Subsection 1 and Subsections (2), (5), (7), (8), (10), and (11) herein shall exceed the actual amounts allocated pursuant to this Section 515 in Fiscal Year 1993-94.

(17) After the specific purpose allocations and accumulations required by Subsections (1), (2), (4), (5) and (6) and after appropriations have been made for the purposes set forth in Subsections (7), (8), (9), (10), (11), (12), (13) and (14) all remaining Hotel Room Tax revenues shall be appropriated to the General Fund.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Julie McFriedlander
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
June 19, 1995	$	June 26, 1995
Ayes: Supervisors Alioto Hsieh Leal Kaufman Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Noes: Supervisors Ammiano Bierman Hallinan Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 127-95-6

JUL 7 1995
Date Approved

Frank M. Jordan
Mayor

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(Airport-Lease Modifications)

APPROVING, RETROACTIVELY, MODIFICATION NO. 6 OF LEASE AND USE AGREEMENT BETWEEN AMERICAN AIRLINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves, retroactively, Modification No. 6 of the Lease and Use Agreement between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-95-8.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By [signature]
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 10, 1995	July 17, 1995
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Ammiano	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 27-95-8

JUL 28 1995
Date Approved

[signature]
Mayor

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FILE NO. 45-95-21 ORDINANCE NO. 242-95

[SETTLEMENT OF LAWSUIT]

RO #94260

AUTHORIZATION OF SETTLEMENT OF LITIGATION OF DIANNE MORGAN AND JERRY PEARSALL AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled Dianne Morgan and Jerry Pearsall v. City and County of San Francisco, et al., San Francisco Superior Court No. 956-583, by payment of $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS
Director, Department of Public Works

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $10,000.00

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
July 10, 1995		July 17, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng		Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-21

JUL 28 1995
Date Approved

Mayor

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FILE NO. 45-95-22 ORDINANCE NO. 243-95

RO #94263

[Bush-Polk Garage Lawsuit Settlement]

APPROVING THE SETTLEMENT OF *INSURANCE COMPANY OF NORTH AMERICA V. CITY AND COUNTY OF SAN FRANCISCO*, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, CASE NO. C94-03845 FMS, REGARDING THE CONSTRUCTION OF THE BUSH-POLK GARAGE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the matter of *Insurance Company of North America v. City and County of San Francisco*, United States District Court, Northern District of California, Case No. C94-03845 FMS, whereby $290,000 is released to the Surety and $95,580 is retained by the Department of Parking and Traffic.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: Anthony R. Flores
Deputy City Attorney

RECOMMENDED AND APPROVED:

PARKING AUTHORITY COMMISSION

By: John E. Newlin
Executve Director

FUNDS AVAILABLE:

CONTROLLER

02 071 36 00 00 353144 1270 620-01 $290,000.00

Department of Parking and Traffic

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
July 10, 1995		July 17, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng		Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-22

JUL 28 1995
Date Approved

Mayor

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FILE NO. 45-95-21

ORDINANCE NO. 244-95

FILE NO. 45-95-23 ORDINANCE NO. 244-95

(SETTLEMENT OF LAWSUIT)

AUTHORIZING THE MAYOR AND THE CITY ATTORNEY TO EXECUTE A JOINT EXERCISE OF POWERS AGREEMFNT FOR SEWER SERVICES BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE BAYSHORE SANITARY DISTRICT IN SETTLEMENT OF LITIGATION AND TO DISMISS ALL LITIGATION CLAIMS WITH RESPECT THERETO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Mayor is hereby authorized to execute the joint powers agreement with the Bayshore Sanitary District on file in Board of Supervisors file no. 45-95-23 in settlement of all litigation claims filed in Bayshore Sanitary District v. City and County of San Francisco, Santa Clara Superior Court no. CV 740514.

Section 2. The City Attorney is hereby authorized to dismiss all cross-claims filed in this suit against the Bayshore Sanitary District.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
July 10, 1995	§	July 17, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
45-95-23

JUL 28 1995
Date Approved

_____
Mayor

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FILE NO. 45-95-25 ORDINANCE NO. 245-95

[Oceanside Water Pollution Control Plant Lawsuit Settlement]

APPROVING THE SETTLEMENT OF HOMER J. OLSEN AND OHBAYASHI CORPORATION v. CITY AND COUNTY OF SAN FRANCISCO, SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA, NORTHERN DIVISION, DOCKET NO. 727093-8, REGARDING THE CONSTRUCTION OF THE OCEANSIDE WATER POLLUTION CONTROL PLANT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the matter of Homer J. Olsen and Ohbayashi Corporation v. City and County of San Francisco, Superior Court of California, County of Alameda, Northern Division, Docket No. 727093-8, whereby plaintiff Olsen/Ohbayashi will receive a total of $12,000,000 of which $2,500,000 will be paid by the City and $9,500,000 will paid by co-defendant CH2M Hill.

Section 2. (a) Additionally, the City will contribute an amount not to exceed $1,000,000 towards the settlement of the claim of Olsen/Ohbayashi's subcontractor, Brayer/Abbett, a Joint Venture. (b) Alternatively, if settlement of the Brayer/Abbett claim is not reached, the City will be responsible for 1/3 (one-third) of any judgment, and co-defendant CH2M Hill will be

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responsible for the remaining 2/3 (two-thirds).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: (SEE FILE FOR SIGNATURE)
George K. Mong
Deputy City Attorney

By: Theodore R. Lakey for
Patrick J. Mahoney
Chief Trial Deputy

RECOMMENDED AND APPROVED:

DEPARTMENT OF PUBLIC WORKS

(SEE FILE FOR SIGNATURE)
John E. Cribbs
Director

FUNDS AVAILABLE: 35 730 90 06 00
543736 2030 213 01
$3,500,000.00

(SEE FILE FOR SIGNATURE
CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 17, 1995	$	July 24, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	$	Leal Migden Shelley Teng
	$	
	$	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-95-25

JUL 28 1995
Date Approved

Frank G. Jordan
Mayor

(Special Election)

CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, NOVEMBER 7, 1995, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO PROPOSITIONS TO INCUR THE FOLLOWING BONDED DEBTS OF THE CITY AND COUNTY FOR THE ACQUISITION, CONSTRUCTION OR COMPLETION BY THE CITY AND COUNTY OF SAN FRANCISCO OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, TO WIT: $63,590,000 FOR ACQUISITION, CONSTRUCTION AND/OR RECONSTRUCTION OF CERTAIN IMPROVEMENTS TO CITY HALL; $29,245,000 FOR ACQUISITION, CONSTRUCTION AND/OR RECONSTRUCTION OF STEINHART AQUARIUM AND RELATED FACILITIES AND STRUCTURES; AND $44,100,000 FOR ACQUISITION, CONSTRUCTION AND/OR RECONSTRUCTION OF CERTAIN IMPROVEMENTS TO UNDERGROUND STORAGE TANKS OWNED BY THE CITY AND COUNTY; AND THAT THE ESTIMATED COST OF CITY AND COUNTY OF SAID MUNICIPAL IMPROVEMENTS IS AND WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF THE CITY AND COUNTY AND WILL REQUIRE EXPENDITURES GREATER THAN THE AMOUNT ALLOWED THEREFOR BY THE ANNUAL TAX LEVY; RECITING THE ESTIMATED COSTS OF SUCH MUNICIPAL IMPROVEMENTS; FIXING THE DATE OF ELECTION AND THE MANNER OF HOLDING SUCH ELECTION AND THE PROCEDURE FOR VOTING FOR

SUPERVISORS SHELLEY, HSIEH, KAUFMAN, ALIOTO, HIGDEN, HALLINAN, AMMIANO, BIERMAN LEAL, KENNEDY, TENG

OR AGAINST THE PROPOSITIONS; FIXING THE MAXIMUM RATE OF INTEREST ON SAID BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY BOTH PRINCIPAL AND INTEREST THEREOF; PRESCRIBING NOTICE TO BE GIVEN OF SUCH ELECTION; CONSOLIDATING THE SPECIAL ELECTION WITH THE GENERAL ELECTION; AND PROVIDING THAT THE ELECTION PRECINCTS, VOTING PLACES AND OFFICERS FOR ELECTION SHALL BE THE SAME AS FOR SUCH GENERAL ELECTION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the 7th day of November, 1995, for the purpose of submitting to the electors of the City and County propositions to incur bonded indebtedness of the City and County of San Francisco for the acquisition, construction and/or reconstruction by the City and County of the municipal improvements hereinafter described in the amount and for the purpose stated:

CITY HALL IMPROVEMENT BONDS, 1995, $63,590,000 for the acquisition, construction and/or reconstruction of certain improvements to City Hall, including life safety improvements, disabled access improvements, electrical power and system

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improvements, building system and communication improvements, historic preservation improvements, functional space conversion improvements, childcare improvements and waterproofing improvements and related acquisition, construction and reconstruction necessary for the foregoing purposes.

STEINHART AQUARIUM IMPROVEMENT BONDS, 1995, $29,245,000 for the acquisition, construction and/or reconstruction of certain improvements to Steinhart Aquarium and related facilities and structures, including seismic upgrade, asbestos and lead abatement, disabled access improvements, life support system improvements, building system improvements and structural improvements and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes.

UNDERGROUND STORAGE TANK BONDS, 1995, $44,100,000 for the acquisition, construction and/or reconstruction of certain improvements to underground storage tanks owned by the City and County, which improvements shall include repair, removal and/or replacement of the underground storage tanks and testing and remediation of past and present storage tank sites, and related

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acquisition, construction and reconstruction for the foregoing purposes.

Section 2. The estimated costs of each of the municipal improvements described in Section 1 hereof were fixed by the Board of Supervisors by the following resolutions and in the amount specified below:

City Hall Improvement Bonds, Resolution No. 511-95, $63,590,000; Steinhart Aquarium Improvement Bonds, Resolution No. 513-95, $29,245,000; and Underground Storage Tank Bonds, Resolution No. 512-95, $44,100,000.

That said resolutions were passed by two-thirds or more of the Board of Supervisors and approved by the Mayor, and in each said resolution it was recited and found that the sum of money specified were too great to be paid out of the ordinary annual income and revenue of the City and County in addition to the other annual expenses thereof or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed therefor by the annual tax levy.

The method and manner of payment of the estimated costs of the municipal improvements described herein are by the issuance

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of bonds of the City and County of San Francisco in the principal amount not to exceed the principal amounts specified.

Said estimates of cost as set forth in said resolutions are hereby adopted and determined to be the estimated costs of said improvements.

Section 3. The special election hereby called and ordered to be held shall be held and conducted and the votes thereat received and canvassed, and the returns thereof made and the results thereof ascertained, determined and declared as herein provided and in all particulars not herein recited said election shall be held according to the laws of the State of California and the Charter of the City and County of San Francisco providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 4. The special election hereby called shall be and hereby is consolidated with the General Election of the City and County of San Francisco to be held Tuesday, November 7, 1995, and the voting precincts, polling places and officers of election for such General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places

and officers of election for such special election hereby called, and reference is hereby made to the notice of election setting forth the voting precincts, polling places and officers of election for the General Election by the Registrar of Voters to be published in the official newspaper of the City and County on the date required under the laws of the State of California.

Section 5. The ballots to be used at the special election shall be the ballots to be used at the General Election. On the ballots to be used at such special election and on the punch card ballots used at said special election, in addition to any other matter required by law to be printed thereon, shall appear thereon each of the following and appear upon the ballot each as a separate proposition:

"CITY HALL IMPROVEMENT BONDS, 1995, $63,590,000 for the acquisition, construction and/or reconstruction of certain improvements to City Hall, including life safety improvements, disabled access improvements, electrical power and systems improvements, building system and communication improvements, historic preservation improvements, functional space conversion improvements, childcare improvements and waterproofing

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improvements and related acquisition, construction and reconstruction necessary for the foregoing purposes."

"STEINHART AQUARIUM IMPROVEMENT BONDS, 1995, $29,245,000 for the acquisition, construction and/or reconstruction of certain improvements to Steinhart Aquarium and related facilities and structures, including seismic upgrade, asbestos and lead abatement, disabled access improvements, life support system improvements, building system improvements and structural improvements and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes."

"UNDERGROUND STORAGE TANK BONDS, 1995, $44,100,000 for the acquisition, construction and/or reconstruction of certain improvements to underground storage tanks owned by the City and County, which improvements shall include repair, removal and/or replacement of the underground storage tanks and testing and remediation of past and present storage tank sites, and related acquisition, construction and reconstruction for the foregoing purposes."

Each voter to vote in favor of the issuance of the foregoing bond propositions shall punch the ballot card in the hole after

the word "YES" to the right of the proposition, and to vote against the proposition shall punch the ballot card in the hole after the word "NO" to the right of the proposition. If and to the extent that a numerical system is used at said special election, each voter to vote in favor of the proposition shall punch the ballot card in the hole after the number corresponding to a "YES" vote for the proposition and to vote against the proposition shall punch the ballot card in the hole after the number corresponding to a "NO" vote for the proposition.

On absentee voter ballots, the voter to vote in favor of any of the propositions hereby submitted shall punch the absentee ballot card in the hole after the word "YES" to the right of the proposition, and to vote against the proposition shall punch the absentee ballot card in the hole after the word "NO" to the right of the proposition. If and to the extent that a numerical system is used at said special election, each voter to vote in favor of any of the propositions shall punch the absentee ballot card in the hole after the number corresponding to a "YES" vote in favor of the proposition and to vote against the proposition shall punch the absentee ballot card in the hole after the number corresponding to a "NO" vote for the proposition.

Section 6. If at such special election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of a bonded indebtedness for the purposes set forth in the proposition, then such proposition shall have been accepted by the electors, and bonds shall be issued to defray the cost of the municipal improvements described herein. Such bonds shall bear interest at a rate not to exceed twelve percent (12%) per annum, payable semiannually, except that interest for the first year may be payable at the end of that year.

The votes cast for and against for each proposition shall be counted separately and when two-thirds of the qualified electors, voting on such proposition, vote in favor thereof, such proposition shall be deemed adopted.

Section 7. For the purpose of paying the principal and interest on the bonds, the Board of Supervisors shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City and County set apart for that purpose to meet all sums coming due for the principal and interest on the

bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 8. This ordinance shall be published once a day for at least seven (7) days in the official newspaper of the City and County and such publication shall constitute notice of the election and no other notice of the election hereby called need be given.

Section 9. The appropriate officers, employees, representatives and agents of the City and County of San Francisco are hereby authorized and directed to do everything necessary or desirable to the calling and holding of the special election, and to otherwise carry out the provisions of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
VICTOR L. CASTILLO
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 17, 1995	$	July 24, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	$	Leal Migden Shelley Teng
	$	
	$	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
60-95-5

JUL 28 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 65-95-5 ORDINANCE NO. 247-95

[Amendment to Sublease of Property]

AUTHORIZING AND APPROVING AN AMENDMENT OF SUBLEASE OF CITY-OWNED PROPERTY AT 25 VAN NESS AVENUE, PORTION OF LOWER LEVEL (LOT 4, BLOCK 834) TO THE NEW CONSERVATORY CHILDREN'S THEATRE COMPANY AND SCHOOL, A NON-PROFIT CORPORATION, COMMENCING RETROACTIVELY ON MAY 15, 1995.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the City's Director of Property, the form of the amendment to sublease presented to this Board (the "Amendment") between the City, as sublessor, and the New Conservatory Children's Theatre Company and School, a non-profit California corporation, as sublessee, for rental space located on a portion of the Lower Level, 25 Van Ness Avenue, for an acting school primarily for ages 4-19 years old and the performance of theatrical productions, a copy of which Amendment is on file with the Clerk of the Board of Supervisors in File No. 65-95-5, is hereby approved, commencing retroactively to May 15, 1995. For the remaining term of this sublease which expires May 14, 1998, the rent will remain at its existing level of $13,432.65 or $1.05 per square foot per month.

Section 2. The Mayor of the City is hereby authorized to execute, and the Clerk of the Board of Supervisors is hereby authorized to attest the Mayor's signature thereon, the Amendment in the form presented to this Board.

Section 3. All actions authorized by this Ordinance and heretofore taken by any City official in connection with the Lease are hereby ratified, approved and confirmed by this Board of Supervisors.

Approved as to Form:
Louise H. Renne, City Attorney

By _____
Deputy City Attorney

Recommended:

By _____
Director of Property

REH:A4NCT327.ORD

(Real Estate)

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-95-5

AUG 4 1995
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 7/11/95

FILE NO. 93-95-49 ORDINANCE NO. 248-95

(Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, LOCALS 250, 535 AND 790 AND THE CITY AND COUNTY OF SAN FRANCISCO TO BE EFFECTIVE JULY 1, 1995.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 535 and 790 and the City and County of San Francisco to be effective retroactive to July 1, 1995. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

SUPERVISORS HSIEH, KAUFMAN, BIERMAN, ALIOTO, AMMIANO

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-49

AUG 4 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 101-95-3 AS AMENDED IN COMMITTEE ORDINANCE NO. 249-95

FILE NO. 101-95-3 AS AMENDED IN COMMITTEE 7/12/95 ORDINANCE NO. 249-95

(Government Funding) RO#95007 SA#132

APPROPRIATING $200,000 OF PARKING REVENUE TO CAPITAL IMPROVEMENT PROJECT AT THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1995-96 (CLAY/WASHINGTON PARCEL REZONING); PROVIDING THAT AT LEAST ONE HALF OF THE CLAY/WASHINGTON STREET PARCEL BE RESERVED FOR PUBLIC OPEN SPACE AND PLACING A RESERVE ON $101,095.

/12/95 grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
06-503	Street Improvement Project		
90-06-00	Public Works - Engineering		
Project 622-00	Revenue Broadway Parking Lots		
58-5414 (041038)	Rental from Non-Profit Garages	$200,000	
Project 622-01	Clay/Washington Rezoning		
21-2030 ( )	Capital Improvement Project		$200,000
	Total	$200,000	$200,000

/12/95 grh

Section 2. It is the intent of the Board of Supervisors in approving this appropriation, that at least half of the Clay/Washington Street parcel (i.e., Block 202) shall remain under the jurisdiction of the Recreation and Park Commission and be reserved for public open space.

**

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY

**Section 3. Funds in the amount of $101,095 are herebyplaced on reserve pending selection of consultants, the hourly rates, the estimated hours and determination of the MBE/WBE status to be released by the Budget Committee.

SUPERVISORS SHELLEY, KAUFMAN, TENG, HSIEH

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-95-3

AUG 4 1995
Date Approved

Mayor

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SETTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE SUPERIOR COURT FOR THE CITY AND COUNTY OF SAN FRANCISCO FOR FISCAL YEAR 1995-96.

Be it ordained by the People of the City and County of San Francisco:

I. This ordinance, which has been approved by a majority of the judges of the Superior Court pursuant to Government Code section 69900, establishes the rates of compensation and benefits effective, and retroactive to, July 1, 1995, for the following classifications of Superior Court Employees: 0648 Court Investigator; 0655 FCS Counselor; 0649 Probate Examiner; 0710 Court Reporter and 0678 Executive Secretary.

II. The schedule of compensation for the above employees attached hereto as Appendix 1, and the additional benefits authorized herein shall be effective July 1, 1995 unless otherwise specified.

III. For purposes of this ordinance, the term "covered employees" shall mean those classifications enumerated in paragraph 1. The term "Court" shall mean the Superior Court for the City and County of San Francisco.

IV. Compensation and Additional Economic Benefits for Covered Employees

1. PAYROLL PROCEDURES

A. Overtime and Holiday Pay

All holiday and overtime paychecks should be distributed as part of the regular pay warrants for the period in which the overtime was earned.

B. Recovery of Overpayment.

The schedule of recovery of any overpayment shall be made by mutual agreement between the City and the employee. In the absence of a mutual agreement, the City will recover no more than 20% of the total amount in any

one biweekly paycheck.

2. STATE UNEMPLOYMENT AND DISABILITY INSURANCE

A. Upon a vote by one-half or more of the members of a covered classification that the members desire to be enrolled in the State Disability Insurance Program, the Board of Supervisors shall immediately take any and all necessary action to enroll such all employees therein. The members of the classification shall certify to the Employee Relations Director that they desire to be enrolled for SDI no later than forty-five (45) days prior to SDI's quarterly enrollment dates and the Board shall take necessary action to enroll such employees in time for the next SDI enrollment date.

B. An employee entitled to SDI shall receive in addition thereto such portion of his/her accumulated sick leave with pay as will equal, but not exceed, the regular biweekly "take home" earnings of the employee, excluding optional deductions. Such supplementary payments shall continue for the duration of the employee's illness or disability or until sick leave with pay credited to the employee is exhausted, whichever occurs first.

At an employee's option, an employee's accrued vacation, holiday, and compensatory time off can also be integrated with SDI payments in the same manner as sick leave.

3. REIMBURSEMENT OF WORK-RELATED EXPENSES

A. Mileage.

1. The Chief Executive Officer may request employees to use their own vehicle for Court business. Employees using their own vehicle for Court business shall be reimbursed for expenses incurred at the rate of twenty-five cents ($.25) per mile and for all necessary parking and toll expenses.

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2. The above mileage rate shall be increased each calendar quarter by one cent per mile for each ten cents increase in the average cost of gasoline and defined for "gasoline all types" per gallon in the Energy Report published by the Bureau of Labor Statistics, U.S. Department of Labor. The base period against which increases shall be measured shall be the average price per gallon established for July 1, 1982. Said rate shall be fixed by the Controller within two weeks of his receipt of the above report.

B. Damaged or Stolen Property.

Reimbursement for property damaged, destroyed or stolen in the line of duty shall be administered in accordance with guidelines established by the Controller.

An employee who qualifies for reimbursement of such damaged, destroyed or stolen property shall submit a claim to his/her department head with all available documentation not later than thirty (30) calendar days after the date of such alleged occurrence. An employee shall be entitled to the appropriate reimbursement no later than one hundred-twenty (120) days following the submission of such claim. Reimbursement may be delayed if the employee does not submit the appropriate documentation.

C. Meals.

Covered employees shall, subject to the procedures established by the Controller, be reimbursed for the reasonable and actual costs of meals upon presentation of receipts in the following circumstances:

1. When an employee is required by the Court to attend a meeting at which a meal is served and such meal is billed to the employee;

2. When an employee is travelling overnight out of the City on

Court business.

4. WORK SCHEDULES

A. Part-time Work Schedules.

A part-time work schedule is a tour of duty less than forty (40) hours per week.

Salaries for part-time services shall be calculated upon the compensation for normal work schedules proportionate to the hours actually worked.

B. Overtime for Non-"Z" Employees.

1. Overtime Pay or Compensatory Time

Overtime shall be paid in accordance with the Fair Labor Standards Act. Non "Z" designated employees who work or, who are suffered to work overtime shall be paid in salary unless the individual employee requests compensatory time off in lieu of paid overtime. Compensatory time shall be earned at the rate of time and one-half (1-1/2). Classification 0710 Court Reporters shall not be eligible for overtime or compensatory time.

2. Pay out of compensatory time for non-"Z" and "L" class employees at termination of employment.

Any compensatory time earned but not used at the time of an employee's termination of employment shall be forfeited.

5. ADDITIONAL COMPENSATION FOR BILINGUAL OR SIGN LANGUAGE

Employees who are assigned in the discretion of the court to a designated bilingual or sign language position shall be granted additional compensation of fifty dollars ($50) biweekly.

6. HOLIDAYS

A. Floating Holidays.

In addition to those days designated as Court holidays, employees other than 0710 Court Reporters shall receive two (2) additional holidays to be taken on days selected by the employee subject to the approval and sole discretion of the Court. Employees must complete six (6) months continuous service before receiving the additional days, except when a particular day has been determined to be a floating holiday for all of the employees in the Court; provided that all part-time employees who are not regularly scheduled, but are employed on an as needed, irregular intermittent or other irregular basis are ineligible for the additional days.

B. Holiday Compensation for Time Worked.

Employees required by their respective appointing officers to work on any of the above-specified or substitute holidays, excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation at the rate of time and one-half (1-1/2) the usual rate of pay for all regularly scheduled hours worked; provided, however, that at an employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime at the rate of time and one-half (1 1/2).

Ten (10) and twelve (12) hour employees shall receive full holiday compensation for the regularly scheduled shift worked on a holiday.

No designated "Z" employee shall receive overtime pay for working on a holiday. All such overtime shall be compensated in the form of compensatory time accrued.

C. Holiday Pay for Employees Laid Off.

An employee who is laid off at the close of business the day before a holiday who has worked not less than five (5) previous consecutive workdays shall be paid for the holiday.

D. Employees Not Eligible for Holiday Compensation.

Persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled), or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

E. Part-time Employees Eligible for Holidays.

Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appointing officer.

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7. EMPLOYEES IN CLASSIFICATION 0678 EXECUTIVE SECRETARY COVERED BY FORMER WORD PROCESSING PREMIUM

Employees in classification 0678 Executive Secretary who received a word processing premium in fiscal year 1993-94 shall continue to receive a ninety-one cent ($.91) per hour premium above the salary to which they are entitled for such time as they are assigned to and actually work with word processing equipment. No new employee shall receive a word processing premium in any classification.

8. SALARY ADJUSTMENTS FOR CLASSES OTHER THAN 0710 COURT REPORTER

A. Seniority Increments

1. Entry at the First Step

Employees shall advance to the second step upon completion of two thousand eighty (2080) hours worked and to each successive step upon completion of one (1) year required service.

2. Entry at Other Than the First Step

Employees who enter a classification at a rate of pay at other than the first step shall advance one step upon completion of the one (1) year required service.

B. Lay-Off.

An employee who is (1) "laid off," (2) immediately and continuously employed in another classification with the Court, and (3) is thereafter reemployed in his/her original position without a break in service, shall, for the purposes of determining salary increments, receive credit for time served while laid off from his/her original appointment.

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9. GENERAL WAGE INCREASE

All employees covered by this ordinance except 0710 Court Reporters shall receive a 1.0% wage increase effective July 1, 1995 in accordance with the salary schedule attached as Appendix 1. The effective date shall be the beginning of the pay period closest to July 1, 1995. All employees covered by this ordinance shall receive an additional 1.0% wage increase effective January 1, 1996 in accordance with the salary schedule attached as Appendix 1. The effective date shall be the beginning of the pay period closest to January 1, 1996.

10. HEALTH AND DENTAL BENEFITS

A. Maintenance of Benefits: The current benefits level shall be maintained for the duration of FY 1995-96.

B. City Contribution: The City shall contribute and continue to contribute a monthly amount towards Court employee health benefits for each covered employee in accordance with Charter Section 8.423, which provides for an annual benefits survey of the ten most populous counties (example: FY 1993-94 City contributory amount of $172.85 per employee).

C. Dependent Care Health Benefits: Effective the first pay period beginning after July 1, 1995, and continuing for the remainder of FY 1995-96, the City shall pay $150 per month toward dependent health care benefits for covered employees.

D. Dental Benefits: The City shall continue to contribute a monthly amount per covered employee sufficient to continue the family dental coverage provided in FY 1993-94.

///

11. FINGERPRINTING

The City shall bear the full cost of fingerprinting whenever such is required of the employee.

12. RETIREMENT PICKUP

A. For the period July 1, 1995 through December 29, 1995, the City will contribute to the appropriate pension plan:

1. 4.0% of pension covered gross salary for the old plan and new plan full rate members of the San Francisco Employee Retirement System (SFERS);

2. 1.3% of pension covered gross salary for new plan reduced rate SFERS members;

3. 1.8% of pension covered gross salary for old plan reduced members.

B. For the period December 30, 1995 through June 30, 1996, the City will contribute to the appropriate pension plan:

1. 5.5% of pension covered gross salary for the old plan and new plan full rate members of the San Francisco Employee Retirement System (SFERS);

2. 1.3% of pension covered gross salary for new plan reduced rate SFERS members;

3. 1.8% of pension covered gross salary for old plan reduced members.

C. All employees covered by this ordinance who are enrolled, or shall enroll, at the minimum retirement contribution level will receive an amount equal to the pickup they would have received pursuant to this ordinance had

///

///

they been enrolled at the full contribution level on at least a semi- annual basis.

CERTIFICATION: The following hereby certify that a majority of the body over which they each preside has approved the terms of the above ordinance.

Stuart R. Pollak, Acting Presiding Judge
San Francisco Superior Court

N/A
Kevin F. Shelley, President
Board of Supervisors of the
City and County of
San Francisco

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

Deputy City Attorney

0509s

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790RAISE.XLS

Salary Schedules for Unrepresented local 790 Employees through FY 96/97												5/31/95	
Raise			1%	260 days	per year				1%	260 days	per year		
Date			7/1/95						1/1/96				
Class	Step		Sal.Sch.	Hourly	B/W	Mo.	Annual		Sal.Sch.	Hourly	B/W	Mo.	Annual
0648	1		63.6	26.6875	2135	4626	55,510		63.8	26.9500	2156	4671	56,056
	2			28.0250	2242	4858	58,292			28.3000	2264	4905	58,864
	3			29.4250	2354	5100	61,204			29.7125	2377	5150	61,802
	4			30.9000	2472	5356	64,272			31.2000	2496	5408	64,896
0649	1		63.6	26.6875	2135	4626	55,510		63.8	26.9500	2156	4671	56,056
	2			28.0250	2242	4858	58,292			28.3000	2264	4905	58,864
	3			29.4250	2354	5100	61,204			29.7125	2377	5150	61,802
	4			30.9000	2472	5356	64,272			31.2000	2496	5408	64,896
0655	1		63.6	26.6875	2135	4626	55,510		63.8	26.9500	2156	4671	56,056
	2			28.0250	2242	4858	58,292			28.3000	2264	4905	58,864
	3			29.4250	2354	5100	61,204			29.7125	2377	5150	61,802
	4			30.9000	2472	5356	64,272			31.2000	2496	5408	64,896
0678	1		57.4	19.7500	1580	3423	41,080		57.6	19.9500	1596	3458	41,496
	2			20.7250	1658	3592	43,108			20.9250	1674	3627	43,524
	3			21.7500	1740	3770	45,240			21.9500	1756	3805	45,656
	4			22.8375	1827	3959	47,502			23.0500	1844	3995	47,944

Board of Supervisors, San Francisco

Passed for Second Reading $ Finally Passed

July 17, 1995 $ July 24, 1995

Ayes: Supervisors Alioto Ammiano $ Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman $ Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng $ Leal Migden Shelley Teng
$ Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
106-95-4

AUG 4 1995
Date Approved

Mayor

FILE NO. 106-95-7 ORDINANCE NO. 251-95

SETTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR FISCAL YEAR 1995-1996 FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE SUPERIOR COURT FOR THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

I. This ordinance, which has been approved by a majority of the judges of the Superior Court pursuant to Government Code section 69900, establishes the rates of compensation and benefits effective July 1, 1995, for the following classifications of Superior Court employees: 0174 Staff Attorney, 0175 Senior Criminal Research Attorney, 0583 Assistant Clerk of Court, 0584 Assistant Executive Officer, 0585 Manager of Budget and Administration, 0588 Court Coordinator, 0590 Court Assistant Senior, 0592 Payroll/Personnel Director, 0595 Fiscal Systems and Services Coordinator, 0622 Deputy Jury Commissioner, 0634 Manager of Court Operations, 0636 Division Chief, 0640 Director of FCS, 0646 Assistant Director of Probate, 0647 Director of Probate, 0650 Traffic Hearing Officer, 0657 Mental Health Coordinator, 0676 Research Assistant, 0677 Judicial Secretary Coordinator, 0818 MIS Specialist II, 0819 MIS Specialist III, and 0821 Computer

Coordinator. This ordinance also establishes benefits for classification 0555 CEO.

II. The schedule of compensation for the above employees is attached hereto as Appendix 1.

III. For purposes of this ordinance, the term "covered employees" shall mean those classifications enumerated in paragraph I above. The term "Court" shall mean the Superior Court in and for the City and County of San Francisco.

IV. <u>Compensation and Additional Economic Benefits for All Covered Employees in the Above Classes</u>.

A. <u>HOLIDAYS</u>

1. <u>Floating Holidays</u>

In addition to those days designated by state statute as Court holidays, covered employees shall continue to receive the number of additional holidays provided to them in FY 94-95, to be taken on days selected by the employee subject to the approval and sole discretion of the Court. Employees must complete six (6) months continuous service before receiving the additional days, except when a particular day has been determined to be a floating holiday for all of the employees in the Court; provided that all part-time employees who are not regularly scheduled, but are

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employed on an as needed, irregular intermittent or other irregular basis are ineligible for the additional days. Floating holidays shall be taken at a time mutually agreeable to the employee and the appropriate employer representative.

2. Part-time Employees Eligible for Holidays

Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holiday pay on a proportionate basis.

Therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employer and the appropriate employer representative.

3. Holiday Compensation for Time Worked

Employees covered by this ordinance who are required by the Court to work on a State holiday, excepting Fridays observed as holidays in lieu of holidays falling on a Saturday, shall be granted time off equivalent to the time worked at the rate of one-and-one half times for work on the holiday. Time off in lieu shall be scheduled at the discretion of the Court.

4. Holiday Pay for Employees Laid Off

An employee covered by this section who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.

B. HEALTH AND DENTAL CARE BENEFITS

1. The level of the City's contribution to health benefits will be set annually in accordance with the requirements of Charter Sections 8.423 and 8.428.

2. The City shall continue to provide the level of dental coverage for each member and family dependents provided in FY 94-95 through FY 95-96.

C. STATE DISABILITY INSURANCE (SDI)

Upon a vote by one-half or more of the members of a covered classification that the members desire to be enrolled in

the State Disability Insurance Program, the Board of Supervisors shall take any and all necessary action to enroll such employees therein. The cost of SDI will be paid by the employee through payroll deduction at a rate established by the State of California Employment Development Department.

At the employee's option, the employee's accrued sick leave, vacation, and holidays shall be integrated with SDI payments to provide a maximum to the employee of their gross income.

D. SENIORITY INCREMENTS

1. Entry at the First Step. Covered employees who enter a classification at the first pay step shall advance to the second step of a four-step advancement within classification upon completion of two thousand and eighty (2,080) hours worked and to each successive step upon completion of the one (1) year required service within the classification.

2. Entry at Other than the First Step. Covered employees who enter a classification at a rate of pay at other than the first step shall advance one step upon completion of an additional year required service. Further increments shall accrue following completion of the required service at this step and at each successive step.

3. Date Increment Due. Increments shall accrue and become due and payable on the next day following completion of required service as specified above.

E. SUPERVISORY DIFFERENTIAL ADJUSTMENT

The Chief Executive Officer may adjust the salary of a supervisory employee whose schedule of salary is set herein subject to the following conditions:

1. The supervisor, as part of the regular responsibilities of his/her class, supervises, directs, is accountable for and is in responsible charge of the work of a subordinate or subordinates.

2. The supervisor must actually supervise the technical content of subordinate work and posses education and/or experience appropriate to the technical assignment.

3. The assignment is a regular one approved by the Chief Executive Officer.

4. The salary range of the supervisor is less than 5% over the compensation range, exclusive of extra pay, of the employee supervised. In determining the compensation schedule of a classification being paid a flat rate, the flat rate will be converted to a bi-weekly rate and the salary schedule the top step

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of which is closest to the flat rate so converted shall be deemed to be the compensation schedule of the flat rate classification.

5. The adjustment of the salary of the supervisor shall not exceed 5% over the compensation exclusive of extra pay, of the employee supervised.

6. If the application of this section adjusts the salary of an employee in excess of his/her immediate supervisor, whose class is covered by this agreement the pay of such immediate supervisor shall be adjusted to an amount $1.00 bi-weekly in excess of the base rate of his/her highest paid subordinate, provided that the other applicable conditions of this section are also met.

7. In no event will the Chief Executive Officer approve a supervisory salary adjustment in excess of 10% over the supervisor's current basic compensation. If in the following fiscal year a salary inequity continues to exist, the Chief Executive Officer may again review the circumstances and may grant an additional salary adjustment not to exceed 10%.

F. REIMBURSEMENT OF MILEAGE AND RELATED EXPENSES

Covered employees required to use their own vehicle for City business shall be reimbursed for mileage as fixed by the

Controller in accordance with IRS rules, and will be reimbursed for all necessary parking and toll expenses.

G. FINGERPRINTING

The City shall bear the full cost of fingerprinting whenever such is required of the employees.

H. RETIREMENT BENEFIT PROCESSING TIME

The Retirement Board shall process and pay retirement claims, except in cases beyond the Board's control, in the following manner:

BENEFIT	PROCESSING TIME
Initial monthly retirement allowance.	Initial payment shall begin within sixty (60) days after the first of the month following the date of retirement provided that the appropriate forms of the Retirement System have been submitted.
Withdrawal of Contributions.	A refund of contributions will be paid within six (6) weeks following submission of the appropriate forms of the Retirement System.
Death Benefit.	A death benefit will be paid within thirty (30) days from the

filing of the appropriate forms of the Retirement System.

V. General Wage Increase for 0174 Staff Attorneys, 0175 Senior Criminal Research Attorneys and 0676 Research Assistants.

Wages of covered employees in the above classifications shall be increased by two percent (2%) effective July 1, 1995, and by an additional one-half percent (1/2%) effective April 1, 1996.

VI. Additional Economic Benefits for All 0174 Staff Attorneys, All 0175 Senior Criminal Research Attorneys and Those 0676 Research Assistants Hired Prior to September 30, 1992.

A. ADMINISTRATIVE LEAVE

Attorneys are generally required to work in excess of eighty (80) hours per pay period because of the nature of attorneys' work, including litigation deadlines, client needs and ethical and professional obligations. In light of this work requirement, each full-time employee in a classification covered by this section shall receive five (5) days of administrative leave on an annual basis. These classifications shall not be eligible to receive compensatory time off.

B. BAR DUES

Each full-time employee that has been employed in a classification covered by this section for more than one year as of January 15, 1996, shall be reimbursed for the full amount of his/her annual California State Bar dues for that calendar year. Payment will be made no later than February 15, 1996.

C. TUITION, MCLE, AND EDUCATIONAL FUND

1. The City shall provide a total educational fund of at least $3,000 for fiscal year 1995-96 for the classifications covered by this section. Employees covered by this section shall be reimbursed from this fund for up to $500 each, subject to availability of monies in the fund, for professional training and education needs to comply with mandatory state bar recertification, MCLE requirements, or other professional activities.

2. Employees covered by this section shall be paid when assigned by the Court to attend required educational programs scheduled during normal working hours.

D. LUMP SUM PAYMENT

In recognition of recent wage freezes, covered employees in the above classifications shall receive a one-time only payment representing 1.625% of the gross actual salary earned during the 1994-95 fiscal year (minus appropriate deductions for taxes).

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Qualifying employees must have been continuously employed by the Court between July 1, 1993 and June 30, 1995. Employees who were employed by the Court for only part of FY 1993-94 and/or 1994-95 shall be paid a portion of the above amount based on the number of hours employed divided by 4,160 hours. The payment shall be available not later than the close of business on August 30, 1995 and shall not include interest. If payment is not available on August 30, 1995, interest shall begin to accrue at the rate published in the Recorder.

E. FLEXIBLE BENEFIT ALLOWANCE

Effective July 1, 1995, the City shall, at the employee's option, either contribute $75 per month to each covered employee participating in the City's 125 Cafeteria Plan or pay $70 per month to each covered employee as a direct payment for individual benefit options.

F. LIFE INSURANCE

Effective January 1, 1996, the City shall either provide life insurance in the amount of $125,000 to each covered employee or shall make purchase of such life insurance available to each covered employee through the City's 125 Cafeteria Plan.

G. RETIREMENT CONTRIBUTION

1. The City shall pick up the employee contribution to Retirement for employees in classifications covered by this section as follows:

For the period July 1, 1995, through December 30, 1996, the City will contribute to the appropriate pension plan:

- 1.3% of pension covered gross salary for old plan SFERS members and new plan full rate members;

- 1.3% of pension covered gross salary for new plan reduced rate SFERS members.

2. An employee's wage rate shall not be reduced by the aforesaid contributions when computing vacation, holiday, retirement and any other benefit which is a function, or percentage, of salary.

3. All employees covered by this section who are enrolled, or shall enroll, at the minimum retirement contribution level will receive an amount equal to the pick-up they would have received pursuant to this agreement had they been enrolled at the full contribution level on at least a semi-annual basis.

VII. Compensation and Additional Economic Benefits for 0818 MIS Specialist II, 0819 MIS Specialist III, 0595 Fiscal Systems and Services Coordinator.

A. COMPENSATORY TIME OFF

Covered employees in the above classifications shall receive compensatory time off for hours worked in excess of forty per week. Compensatory time off shall be earned at a rate of time and one half. In no case will covered employees be allowed to accrue more than eighty (80) hours of compensatory time even if their duties require them to work in excess of eighty (80) hours more than the normal work schedule.

B. DEPENDENT HEALTH CARE BENEFITS - AMOUNT OF EMPLOYEE CONTRIBUTION TO BE PAID BY THE CITY

Monthly Amount	Effective Date*
$150	7/1/95

* The effective dates shall be the beginning of the pay period closest to the dates listed.

C. GENERAL WAGE INCREASE

Wages of covered employees in the above classifications shall be increased by two percent (2%) effective July 1, 1995, by an additional one percent (1%) effective October 1, 1995, and by an additional one percent (1%) effective February 1, 1996.

D. RETIREMENT CONTRIBUTION

The City shall pick up the employee contribution to Retirement for employees in classifications covered by this section as follows:

For the period July 1, 1995, through December 30, 1996, the City will contribute to the appropriate pension plan:

- 4.0% of pension covered gross salary for old plan SFERS members and new plan full rate members;

- 1.3% of pension covered gross salary for new plan reduced rate SFERS members.

All employees covered by this section who are enrolled, or shall enroll, at the minimum retirement contribution level will receive an amount equal to the pick-up they would have received pursuant to this agreement had they been enrolled at the full contribution level on at least a semi-annual basis. An employee's wage rate shall not be reduced by the aforesaid contributions when computing vacation, holiday, retirement and any other benefit which is a function, or percentage, of salary.

VII. Compensation and Additional Economic Benefits for Classifications 0583 Assistant Clerk of Court, 0584 Assistant Executive Officer, 0585 Manager of Budget and Administration, 0588 Court Coordinator, 0590 Court Assistant Senior, 0592 Payroll/Personnel Director, 0622 Deputy Jury Commissioner, 0634

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Manager of Court Operations, 0636 Division Chief, 0640 Director of FCS, 0646 Assistant Director of Probate, 0647 Director of Probate, 0650 Traffic Hearing Officer, 0657 Mental Health Coordinator, 0677 Judicial Secretary Coordinator, and 0821 Computer Coordinator and additional economic benefits for Classification 0555 CEO.

A. ADMINISTRATIVE LEAVE

1. As of July 1, 1995, employees covered by this agreement shall forfeit all accrued compensatory time off in excess of 240 hours and all right to accrue and use compensatory time off in the future. Compensatory time not in excess of 240 hours, which was earned but unused as of July 1, 1995, may be used during the 1995-96 fiscal year. Unused compensatory time remaining at the end of the fiscal year shall be forfeited for all purposes.

2. Covered employees in classifications 0555 CEO, 0583 Assistant Clerk of Court, 0584 Assistant Executive Officer, and 0585 Manager, Budget and Administration are required to work the hours necessary to perform the job duties of their position which often exceed eighty hours per pay period. In light of this work requirement, each full-time employee in these classifications shall receive five (5) days of administrative leave on an annual basis.

Administrative leave for these employees may not be carried over into subsequent years and cannot be cashed out.

3. Covered employees in the remaining classifications covered by this section shall receive administrative leave for hours worked in excess of forty (40) hours per week. Administrative leave shall be earned on a straight time basis. In no case will covered employees be allowed to accrue more than eighty (80) hours of administrative leave even if their duties require them to work in excess of eighty (80) hours more than the normal work schedule.

4. For purposes of this provision, legal holidays provided for in the Government Code shall be considered time worked.

B. FLEXIBLE BENEFIT PACKAGE

The City will contribute $75 per month effective October 1, 1995 towarda flexible benefit package for covered employees included in this section. The elements of this package shall include: dependent health care, disability insurance, life insurance or accident insurance.

C. GENERAL WAGE INCREASE.

1. Lump sum. In recognition of recent wage freezes, covered employees in the above classifications except for 0555 CEO shall receive a one-time only payment representing 1% of the highest base salary earned during the 1994-95 fiscal year. Qualifying employees must have been continuously employed by the Court between July 1, 1993 and June 30, 1995. Employees who were employed by the Court for only part of FY 1993-94 and/or 1994-95 shall be paid a portion of the above amount based on the number of hours employed divided by 4,160 hours. The payment shall be available not later than the close of business on August 30, 1995 and shall not include interest. If payment is not available on August 30, 1995, interest shall begin to accrue at the rate published in the Recorder.

2. FY 1995-1996. Base wages of covered employees in the above classifications except for 0555 CEO shall be increased by one percent (1%) effective July 1, 1995, and by an additional one percent (1%) effective January 1, 1996.

D. RETIREMENT CONTRIBUTION

1. The City shall pick up the employee contribution to Retirement for employees in classifications covered by this section as follows:

For the period October 1, 1995 through March 31, 1996, the City will contribute to the appropriate pension plan:

- 1.5% of pension covered gross salary for all old plan SFERS members and for new plan full rate members;
- 1.3% of pension covered gross salary for new plan reduced rate SFERS members.

For the period of April 1, 1996 through June 30, 1996, the City will contribute to the appropriate pension plan:

- 3.0% of pension covered gross salary for new and old plan full rate members;
- 1.3% of pension covered gross salary for new plan reduced rate SFERS members;
- 1.8% of pension covered gross salary for old plan reduced members.

Effective dates shall be the beginning of the pay period closest to the dates listed.

2. All employees covered by this section who are enrolled, or shall enroll, at the minimum retirement contribution level will receive an amount equal to the pick-up they would have received pursuant to this agreement had they been enrolled at the full contribution level on at least a semi-annual basis.

3. An employee's wage rate shall not be reduced by the aforesaid contributions when computing vacation, holiday,

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retirement and any other benefit which is a function, or percentage, of salary.

IX. Retroactive Application

Although the City and County has incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify the action previously taken.

CERTIFICATION: The following hereby certify that a majority of the body over which they each preside has approved the terms of the above ordinance.

Richard P. Figone
Richard P. Figone, Acting
Presiding Judge
San Francisco Superior Court

N/A
Kevin F. Shelley, President
Board of Supervisors of the
City and County of San Francisco

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
July 17, 1995		July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng		Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
		Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
106-95-7

AUG 4 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 124-95-2 ORDINANCE NO. 252-95

(SPEED LIMIT)

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY DELETING SECTION 174.05 AND ADDING SECTIONS 176.36, 176.37, AND 176.38 THERETO, CONCERNING THE SPEED LIMITS ON CARGO WAY, HUNTERS POINT BOULEVARD, AND A PORTION OF INNES AVENUE.

Note: Additions are underlined; deletions are in ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby amended by deleting Section 174.05 and adding Sections 176.36, 176.37, and 176.38 thereof to read as follows:

((Section 174.05. A prima facie speed limit of 25 mph is hereby established on Cargo Way between 3rd Street and Jennings Street.))

Section 176.36. A prima facie speed limit of 35 mph is hereby established on Cargo Way between 3rd Street and Jennings Street.

Section 176.37. A prima facie speed limit of 35 mph is hereby established on Hunters Point Boulevard between Jennings Street and Innes Avenue.

Section 176.38. A prima facie speed limit of 35 mph is hereby established on Innes Avenue between Hunters Point Boulevard and Donahue Street.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: [signature]
Deputy City Attorney

RECOMMENDED:

[signature]
Executive Director of
Department of Parking and Traffic

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
124-95-2

AUG 4 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 172-95-18 ORDINANCE NO. 253-95

[Health Service System Agreement]

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING ARTICLE 27, ENCOMPASSING SECTION 1700, TO AUTHORIZE AN AGREEMENT BETWEEN THE HEALTH SERVICE SYSTEM AND THE DEPARTMENT OF PUBLIC HEALTH MAKING THE DEPARTMENT A PREFERRED PROVIDER OF MEDICAL SERVICES UNDER THE CITY ADMINISTERED HEALTH PLAN AND IMPOSING CERTAIN OBLIGATIONS ON CITY OFFICIALS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding Article 27, encompassing Section 1700, to read as follows:

ARTICLE 27

SEC. 1700. CITY ADMINISTERED HEALTH PLAN. (a) The Director of Public Health and the Director of the Health Service System are hereby authorized to enter into a "Hospital Service Agreement" and to enter into any amendments to such agreement and any similar agreements ~~without further Board authorization.~~ subject to approval of the Board of Supervisors.

(b) Upon execution of any agreement described in subsection (a), the Director of the Health Service System shall pay to the Department of Public Health the amounts owing under the agreement within the time specified in the agreement. The rates and charges contained in any such agreement shall govern rather than any rates and charges approved under Section 117 of this Code.

(c) Upon execution of any agreement described in subsection (a), the Health Service System shall not be liable for any claims, losses, obligations, actions, demands, costs and expenses (i) which may arise out of any act or omission of the Department of Public Health or its agents or employees in connection with any Hospital Services performed pursuant to the agreement or (ii) which may arise as a result of or are related to any breach or failure of Hospital or its agents to perform any of its obligations, representations, warranties, agreements or covenants hereunder. If any such claims, losses, obligations, actions, demands or expenses arise, the Director of Public Health shall take any steps necessary to protect the Health Service System from incurring any liability, consistent with the procedures set forth in the Charter and implementing ordinances governing the settlement and payment of unmitigated and litigated claims. If the Health Service System is required to incur any financial loss due to any such claims, losses, obligations, actions, or demands, the Controller shall pay to the Health Service System any amounts needed to hold the Health Services System harmless from such financial obligations. The obligations of the Department of Public Health to hold harmless the Health Service System as set forth herein apply to acts, omissions and events occurring during the term of the agreement and survives the termination of the agreement. Nothing herein is intended to hold harmless the Health Service System from any liability, claim, loss, obligation, action, demand, cost or expense to the extent that it arises solely as the result of the negligence or willful misconduct of the Health Service System or its employees or agents, or to the extent that it arises out of a claim of injury based on the failure of the Health Service System to provide coverage for

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any particular type of medical care under the City Administered Health Plan.

(d) It is the intent of the Board of Supervisors that the obligations imposed by this section may be compelled by a writ of mandate. It is the further intent of this section that no party shall be a beneficiary of the obligations imposed by this section other than the parties who sign the agreement.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
172-95-18

AUG 4 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 172-95-28

7/11/95
ORDINANCE NO. 254-95

[Lead Abatement Education Agreement]

AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE SAN FRANCISCO COMMUNITY COLLEGE DISTRICT ("DISTRICT") FOR THE DISTRICT TO PROVIDE LEAD ABATEMENT TRAINING TO PRIVATE LEAD ABATEMENT CONTRACTORS TO ALLOW THOSE CONTRACTORS TO PERFORM LEAD HAZARD ABATEMENT WORK ON RESIDENTIAL DWELLINGS PURSUANT TO A LEAD HAZARD REDUCTION PROGRAM FUNDED THROUGH THE MAYOR'S OFFICE OF HOUSING BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WHICH AGREEMENT INCLUDES A MUTUAL INDEMNITY CLAUSE.

Be it ordained by the People of the City and County of San Francisco:

1. The Board of Supervisors hereby authorizes the Mayor to enter into an "Agreement for Education Program or Training" ("Agreement") with the San Francisco Community College District ("District"), for the District to provide lead hazard abatement training to private contractors referred by the Mayor's Office of Housing ("MOH"). MOH will pay the District for the training classes with funds granted to the City by the United States Department of Housing and Urban Development ("HUD") under HUD's

"Lead-Based Paint Hazard Reduction Program." The Board of Supervisors has previously approved Resolution No. 714-93 authorizing the Mayor to apply for, and Resolution No. 745-94 authorizing the Mayor to accept and expend the funds granted by HUD. A copy of the Agreement is on file with the Clerk of the Board of Supervisors in File No. 172-95-28.

2. At the District's request, the Agreement contains the following indemnity clause:

> Each party agrees that it will indemnify and hold harmless the other party against any and all suits, claims, liabilities, losses, damages, costs, and expenses incurred by the other party arising from personal or bodily injuries, property damage or otherwise that may arise for any reason from or during the term of this Agreement and be alleged to be caused by the other party. The District further agrees to provide a Certificate of Insurance for liability coverage and limits acceptable to the City. The District acknowledges that the City is self-insured.

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HUD has no contractual obligation to provide any funds to the City in the event the City incurs any monetary obligations under the indemnity clause.

3. All actions authorized by this ordinance and heretofore taken by any City official in connection with the Agreement are hereby ratified, approved and confirmed by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By: Debbie Sutner
Deputy City Attorney

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
172-95-28

AUG 4 1995
Date Approved

Frank M. Jordan
Mayor

ORIGINAL
When Stamped in Red

AS AMENDED IN BOARD 7/17/95

CITY AND COUNTY OF SAN FRANCISCO

CONSOLIDATED BUDGET
AND
ANNUAL APPROPRIATION ORDINANCE

FISCAL YEAR ENDING JUNE 30, 1996

File No. 101-95-2 Ordinance No. 255-95

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
Noes: Supervisor Kennedy	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-2

AUG 1 1995
Date Approved

Frank G. Jordan
Mayor

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ORDINANCE NO. 256-93

FILE NO. 102-95-2 ORDINANCE NO. 256-95

CITY AND COUNTY OF SAN FRANCISCO

95 JUL -7 PM 4:17

ANNUAL SALARY ORDINANCE

1995-1996

ORIGINAL
When Stamped In Red

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 17, 1995	July 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 102-95-2

AUG 1 1995
Date Approved

Frank M. Jordan
Mayor

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[Sales and Grants of Easements]

AUTHORIZING AND APPROVING SALES OF AND GRANTS OF EASEMENTS WITH RESPECT TO CITY-OWNED PROPERTY (PORTIONS OF BLOCK 5268, LOT 7; BLOCK 5269, LOTS 2, 7 AND 8; BLOCK 5282, LOTS 31 AND 33; AND BLOCK 5284A, LOT 6) TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE RETROFIT AND MAINTENANCE OF THE INTERSTATE 280 FREEWAY.

Be it ordained by the People of the City and County of san Francisco:

Section 1. The Board of Supervisors hereby authorizes the Director of Property to execute the following agreements with the State of California, acting through its Department of Transportation ("Caltrans") with respect to certain real property owned by the City (portions of Block 5268, Lot 7; Block 5269, Lots 2, 7 and 8; Bock 5282, Lots 31 and 33; and Block 5284A, Lot 6): (1) an Agreement for Sale and Grant of Easements with respect to Caltrans Parcel Nos. 52221, 52227, 52228 and 52229 ("Agreement No. 1"); (2) an Agreement for Sale and Grant of Easement with respect to Caltrans Parcel No. 51694 ("Agreement No. 2"); and (3) a Grant of Easement with respect to Caltrans Parcel No. 51842 ("Agreement No. 3"). A copy of each of the three Agreements is on file with the Clerk of the Board of Supervisors in File No. 172-95-27 .

Section 2. Portions of the property described herein are currently leased by the City to the City of San Francisco Market

of September 18, 1963, and a Second Amendment to Ground Lease dated as of October 28, 1977 (collectively, the "Ground Lease"). Pursuant to the Ground Lease, the Market Corporation is entitled to receive that portion of the proceeds payable under the Agreements which are attributable to the City's grant of temporary easements and to damage caused by the conveyances to the operations of the Market Corporation.

Section 3. With respect to Agreement No. 1, Caltrans will pay to the City a purchase price of $2188 and a permanent easement price of $5366, and will pay to the Market Corporation a temporary easement price of $74,900.

Section 4. With respect to Agreement No. 2, Caltrans will pay to the City a purchase price and permanent easement price of $2858, collectively.

Section 5. With respect to Agreement No. 3, Caltrans will pay to the Market Corporation a temporary easement price of $10,234 and damages of $40,535.

Section 6. The amounts specified above may be adjusted, to include additional interest from Caltrans, depending on the actual closing date of the sales and grants of easements.

Section 7. The property described in this Ordinance will be used by Caltrans in conjunction with the retrofit and maintenance of the Interstate 280 Freeway.

Section 8. The Board of Supervisors further authorizes the Director of Property, the Mayor and the Clerk of the Board of

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Supervisors to execute Quitclaim Deeds and Grants of Easement to effect the conveyances described in the Agreement, and to execute any documents and take any additional actions required to effect the transactions described in the Agreement.

Section 9. By letter dated May 23, 1995, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 172-95-27 the Department of City Planning found that the proposed transactions is consistent with the City's Master Plan and the Eight Priority Policies of City Planning Code Section 101.1. The San Francisco Board of Supervisors adopts as its own and incorporates by reference as though fully set forth herein the findings as set forth in such letter from the Department of City Planning.

Section 10. The Board of Supervisors hereby finds that (i) public interest or necessity will not be inconvenienced by the conveyances described in the Agreement; (ii) it is in the best interests of the City to enter into said agreement based on direct negotiations with the State without a competitive bid process, and competitive bidding in this situation would be impracticable or impossible given the location and use of the property; and (iii) that the disposition of the property to Caltrans furthers a proper public purpose.

Section 11. All actions authorized by this ordinance and heretofore taken by any City official in connection with said agreement are hereby ratified, approved and confirmed by the Board of Supervisors.

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
July 24, 1995		July 31, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng		Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
Absent: Supervisor Kennedy		Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
172-95-27

AUG 11 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 27-95-11 ORDINANCE NO.

(AIRPORT-CONCESSION LEASE)

RETROACTIVELY, APPROVING THE MODIFICATION OF THE BOARDING AREA "A" RETAIL CONCESSION LEASE A-1 BETWEEN CHARNEL COMPANY, INC. AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves retroactively Modification of the Boarding Area "A" Retail Concession Lease A-1 between Charnel Company, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Lease are contained in Board of Supervisors' file number 27-95-11

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
July 31, 1995	§	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Kennedy	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-95-11

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO.: 45-95-24

ORDINANCE NO 259-95

RO #95002

[SETTLEMENT OF LAWSUIT]

APPROVING THE SETTLEMENT OF LITIGATION OF MARYANN CASTILLO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $14,750.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City and County of San Francisco is hereby authorized to settle the action entitled "Maryann Castillo v. City and County of San Francisco et al., San Francisco Superior Court No. 925-758" by the payment of $14,750.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Director

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS, General Manager

APPROVED BY RECREATION AND PARK COMMISSION:

SHAUNA MARIE ROSE, Secretary

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 42 620245 1450	$7,375.00
01 001 97 09 90 309674 1450	$7,375.00
Total. . .	$14,750.00

APPROVED:

WILLIAM LEE
Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

July 31, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng

Absent: Supervisor Kennedy

Finally Passed

August 7, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-24

AUG 18 1995

Date Approved

Mayor

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FILE NO. 45-95-26 ORDINANCE NO. 260-95

RO #95008

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF PROPERTY DAMAGE CLAIM OF JEFFREY DERDERIAN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8425.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the property damage portion of the action entitled "JEFFREY DERDERIAN v. CITY AND COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No. 958-930, by the payment of $8425.00

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

For
JOHN CRIBBS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $8,425.00

APPROVED:

WILLIAM LEE
Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
July 31, 1995	$	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-26

AUG 18 1995
Date Approved

Mayor

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FILE NO. 45-95-27 ORDINANCE NO. 261-95

[SETTLEMENT OF LAWSUIT]

RO #95013

AUTHORIZATION OF SETTLEMENT OF LITIGATION OF BETTY JIMINEZ, ANGELITA JIMINEZ, YVONNE HERNANDEZ AND AUJHA HERNANDEZ AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR $40,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled Betty Jiminez, et al. v. City and County of San Francisco, et al., San Francisco Superior Court No. 952173, by the following payments of (1) 15,500.00 to Betty Jiminez; (2) $750.00 to Angelita Jiminez; (3) $23,500.00 to Yvonne Hernandez; and (4) $750.00 to Aujha Hernandez. The total of such payments is $40,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS
Director, Department of Public Works

FUNDS AVAILABLE:

CONTROLLER
01 001 97 09 90
309674 1450 $40,500.00

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
July 31, 1995	$	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-27

AUG 18 1995
Date Approved

Mayor

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FILE NO. 45-95-28

ORDINANCE NO. 262-95

RO #95015

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF TRACEY BRISTER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $20,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "TRACEY BRISTER v. CITY AND COUNTY OF SAN FRANCISCO, Superior Court No. 952-360: by the payment of $20,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN CRIBBS, Director

APPROVED:

WILLIAM LEE
Chief Administrative Officer

FUNDS AVAILABLE:
01 001 97 09 90
309674 1450 $20,000.00

EDWARD M. HARRINGTON
Controller

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 31, 1995	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Kennedy	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-95-28

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 45-95-29

ORDINANCE NO. 263-95

RO #95028

(Compensation)

AN ORDINANCE APPROVING THE SETTLEMENT OF LITIGATION AND IMPLEMENTING THE PROVISIONS OF AN ARBITRATION AWARD AS AMENDED BY AGREEMENT BETWEEN THE MUNICIPAL ATTORNEY'S ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1995 THROUGH JUNE 30, 1998.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby approves the settlement of litigation and related cross-litigation in the matter entitled The Municipal Attorney's Association v. The City and County of San Francisco, Superior Court No. 970275 and implements the provisions of the arbitration award between the The Municipal Attorney's Association and The City and County of San Francisco as amended by agreement of the parties to be effective July 1, 1995 through June 30, 1998. The provisions of the settlement and the amended

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///

Supervisor Shelley

arbitration award so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DENNIS AFTERGUT
DEPUTY CITY ATTORNEY

DEPARTMENT OF HUMAN RESOURCES

WENDELL L. PRYOR
Director

Funds Available:

for

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 31, 1995	$	August 7, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-95-29

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 65-95-3.1 ORDINANCE NO. 264-95

(LEASE MODIFICATION)

APPROVING THIRD AMENDMENT TO OPTION TO LEASE REAL PROPERTY AND SECOND AMENDMENT TO LEASES BETWEEN THE PORT OF SAN FRANCISCO AND THE SAN FRANCISCO REDEVELOPMENT AGENCY FOR PROPERTIES IN THE SOUTH BEACH REDEVELOPMENT AREA

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(g) of the City Charter authorizes the Port Commission to enter into leases and franchises for the operation of property within the jurisdiction of the Port Commission; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the leases or the modification, amendment or termination of any leases of real property entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. On September 26, 1984, the San Francisco Redevelopment Agency ("the Agency") and the San Francisco Port Commission entered into an Option Agreement numbered O-10898 ("Option") allowing the Agency an option to enter into leases of all or parts of ten defined parcels around South Beach Harbor in the Rincon Point South Beach Redevelopment Area. The Agency exercised its option to lease property pursuant to the Option in leases numbered L-10892, L-10891, L-11183, L-11110, L-11337, L-11409, L-11426, L-11595, L-11639 and L-11694 (collectively, the "Leases"); and

D. The Option and Leases provided for percentage rent to be paid to the Agency by its sublessee(s) at fixed rates of eight percent (8%) for food and ten percent (10%) for all other sales. In certain cases, the percentage rent required in the Option and Leases exceeds comparable retail market rents.

E. On June 27, 1995, the Port Commission approved by resolution, the Third Amendment to the Option Agreement and the Second Amendment to the Leases between the Port and the Agency to provide market rate rent clauses, the terms of which are set forth in the attached Agreement between the Agency and the Port. A copy of Resolution No. 95-30, Memorandum to the Port Commission; and the Agreement between the Agency and the Port is hereto attached and a copy is on file with the Clerk of the Board of Supervisors.

Section 2

NOW THEREFORE BE IT ORDAINED, That the Board of Supervisors hereby approves the Third Amendment to the Option to Lease Real Property and the Second Amendment to the Leases between the Port of San Francisco and the San Francisco Redevelopment Agency for properties in the South Beach Redevelopment Area; and be it

FURTHER ORDAINED, That the Board of Supervisors authorizes the Executive Director of the Port or his designee to diligently pursue and execute appropriate amendments to the Option and the Leases to conform with the modified language regarding market rate rent set forth in the attached agreement.

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APPROVED AS TO FORM
Louise Renne, City Attorney

by: Neil Sekhri, Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

July 31, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

Finally Passed

August 7, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
65-95-3.1

AUG 18 1995
Date Approved

Mayor

FILE NO. 65-95-7.1 ORDINANCE NO. 265-95

(Approval of Agreement to Lease Real Property)

APPROVAL OF AGREEMENT TO LEASE BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION AND THE SAN FRANCISCO REDEVELOPMENT AGENCY FOR DEVELOPMENT AND USE OF REAL PROPERTY AS A PUBLIC PARK LOCATED AT SEAWALL LOTS 327, 348, AND THE EMBARCADERO (AT FOLSOM STREET) ALSO KNOWN AS RINCON POINT PARK, AND AT SEAWALL LOT 347S

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(f) of the City Charter authorizes the San Francisco Port Commission to enter into leases and franchises for the operation of property within its jurisdiction; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the leases of real property entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. On June 13, 1995, by Resolution No. 95-49, the San Francisco Port Commission approved an Agreement to Lease ("Agreement") with the San Francisco Redevelopment Agency ("Agency") regarding real property located at Seawall Lots 327, 348 and Embarcadero Right-of-Way (at Folsom Street) - commonly known as Rincon Point Park, and real property located at Seawall Lot 347S; and

D. Under the Agreement, the Port grants the Agency an option to enter into a lease for Rincon Point Park for development of a public park at a cost of up to two million dollars, for a term of 65 years, and an option to lease Seawall Lot 347S for a term of 50 years, also for developing a public park. A copy of the Agreement and the Memorandum to the Port Commission (as modified at the June 13, 1995 Port Commission meeting as shown on Item 5C on the attached minutes) summarizing the business terms included in the Agreement are attached and on file with the Clerk of the Board.

Section 2

NOW THEREFORE BE IT ORDAINED that the Board of Supervisors hereby approves the terms of the Agreement to Lease between the Port of San Francisco and the San Francisco Redevelopment Agency, and hereby authorizes the Executive Director of the Port to execute the same on behalf of the Port in substantially the form attached hereto; and be it further

ORDAINED, that, subject to the terms and conditions of the Agreement to Lease; the Executive Director of the Port is hereby authorized to enter into a lease for the Premises with the Redevelopment Agency, in substantially the form of Exhibit C attached to the Agreement to Lease and be it further

ORDAINED, that the Executive Director of the Port is hereby authorized to approve any non-material amendments to the Agreement and/or lease as may be necessary from time to time.

APPROVED AS TO FORM
Louise Renne
City Attorney
by:

Neil Sekhri, Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 31, 1995	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-95-7.1

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

AMENDMENT OF THE WHOLE AS AMENDED IN COMMITTEE - 7/11/95 AND 7/25/95

FILE NO. 97-95-15 ORDINANCE NO. 266-95

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.42 AND DELETING SECTION 16.43 THERETO REGARDING MEMBERSHIP CRITERIA FOR RETIREMENT SYSTEM.

Be it ordained by the People of the City and County of San Francisco:

Section 1 Chapter 16, Article IV, of the San Francisco Administrative Code is hereby amended to read as follows:

NOTE: Additional or substitutions are indicated by underline type; deletions are indicated by ((double parentheses)).

((SEC. 16.42. **PERSONS INCLUDED IN SYSTEM.** With the exception of those employees who are excluded from membership as provided in Section 16.43 of this Code, all employees shall become members of the Retirement System as follows:

(a) **Employees Who Were Members of Previous Systems.** Every employee who was a member of the San Francisco City and County Employees' Retirement System, a member of the Police or Fire Department, at 10:00 noon on ((j))January 8, 1932, or an employee of the Board of Trustees of the Police Relief and Pension Fund on such date, the date upon which the Retirement System became effective, shall be a member of the Retirement System from that date.

(b) **Employees in City and County Service at 12:00 Noon,**

January 8, 1932. Every employee in City and County service at 2:00 noon on January 8, 1932, and not already a member under paragraph (a) of this Section, became a member of the Retirement System on January 9, 1932; provided, that such employee was certified from a civil service list from permanent employment, was employed by one of the offices referred to in the second sentence of Section 8.500 of the Charter or was a teacher; otherwise, such employee became a member of the Retirement System upon the completion of six months of City and County service, uninterrupted by a break of more than one month.

(c) **Employees Subsequent to January 8, 1932.** Every other employee who shall enter City Service after January 6, 1932, shall become a member of the Retirement System on the date of such entry; provided, that such employee is certified from a civil service list for permanent employment; or is a teacher; or is certified to a permanent limited tenure position and has actually entered into City and County service in such position; or is appointed to a full-time permanent, civil service exempt position; provided, that attorneys and physicians in a non-civil service positions who resign and withdraw their contributions from the Retirement System within 60 days of the date upon which they would normally be required to retire because of age shall not become members of the Retirement System at any later date if they are subsequently

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appointed to non-civil service positions for employment in their professional capacity to perform duties included within their professions, but exclusive of any administrative or executive positions for which such professional status constitutes only part of the qualifications therefor, provided further, that any persons occupying the position of director of any art gallery or memorial museum of the City and County who resigns and withdraw their contributions from the Retirement System within 60 days of the date upon which they would normally be required to retire because of age shall not become members of the Retirement System at any later date, if they are subsequently appointed to the position of director of any art gallery or memorial museum of the City and County; and further provided that any person - occupying the office of Chief Administrative Officer who resigns and withdraws his contributions from the Retirement System within 60 days of the date upon which such person would normally be required to retire because of age - shall not become a member of the Retirement System at any later date if such person is subsequently appointed to the office of Chief Administrative Officer, but thereafter such person shall not occupy that office on or after January 1, 1977; and further provided, that for the purposes of this paragraph, resignation and withdrawal of contributions shall be deemed complete when the occupant of any such position or office shall have tendered a resignation and made application for return of Retirement System

contributions. If the medical examination required of such permanent civil service employees or teachers shall be unsatisfactory to the Retirement Board, the Board may require such employees to complete six months of City and County service uninterrupted by a break of more than one month as a requisite to membership in the Retirement System.))

((Sec. 16.43. **PERSONS EXCLUDED FROM SYSTEM.** The following employees shall not be members of the Retirement System:

(a) Elective officers and members of boards and commissions;

(b) Employees not then already members, rendering City and County service in any type of temporary appointment;

(c) Inmates of City and County institutions who are allowed compensation for such service as they are able to perform;

(d) Persons in City and County institutions principally for the purpose of training, but who receive compensation;

(e) Persons employed under contract for a definite period and for the performance of specific duties requiring professional or high technical skill;

(f) Employees, not then already members, and not certified from civil service lists for permanent employment, serving on a part-time basis or as substitutes; provided, that attorneys employed in the office of the City Attorney, District Attorney or Public Defender on monthly compensation, and surgeons employed in

the Emergency Hospital Service. Department of Public Health, on a monthly compensation and required to keep regular hours at least every day except holidays in offices maintained by the City and County shall not be prevented under this paragraph from being members;

(g) Any employee on the Hetch Hetchy Project, who by ordinance has been excluded from membership in any Retirement System established by the City and County, and who, while so employed, has or shall become a member of such a Retirement System through any change in status occasioned by a transfer or assignment to other employment or by amendment to a retirement law, shall receive credit for service with the City and County rendered prior to the date he enters the Retirement System, including service as an employee of the Hetch Hetchy Project in the same manner as credit for prior service is granted to other members.

(h) Employees not then already members, engaged outside the City and County by the Public Utilities Commission on construction work; provided, that employees who shall complete or have completed two years of continuous service in such construction work, and employees on such construction work, and employees on such construction work, certified by the Public Utilities Commission as being in a permanent status, shall not be prevented under this paragraph from being members of the Retirement System;

(i) Persons in City and County service on June 28, 1922, who had not at that time affirmatively exercised the option of becoming members of the Retirement System as then provided and whose compensation then equaled or exceeded $500;

(j) Persons who are or shall be employed in places of employment created by special appropriation to relieve any employment emergency declared by the Board of Supervisors as set forth in Section 8.333 of the Charter.))

SEC. 16.42 **PERSONS INCLUDED IN THE SYSTEM**

(a) With the exception of members of boards and commissions, inmates of City and County institutions who are allowed compensation for such service as they are able to perform and independent contractors under a contract for a definite period, all eligible employees shall become members of the retirement system.

(b) "Eligible employees" shall mean:

(i) All employees certified from a civil service list for permanent employment.

(ii) All employees appointed to a full-time permanent, civil service exempt position.

(iii) All City employees who have earned not less than 1040 hours of compensation during any 12-month period. ~~The provisions of this subsection (b)(iii) will not apply to employees of the San Francisco Community College District.~~

gj
7/11
7/25

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(c) The effective date of membership shall mean:

(i) All employees certified from a civil service list for permanent employment shall be members on the appointment date.

(ii) All employees appointed to a full-time permanent, civil service exempt position shall be members on the appointment date.

(iii) All employees who first achieve eligibility concurrent with the enactment of (b) (iii) above, shall have an effective date of membership on the first day of the first pay period following Sept. 5, 1995.

gj 7/25

(iv) All employees who achieve membership under Subsection (b)(iii) after Sept. 5, 1995 by earning not less than 1040 hours of compensation during any 12-month period shall have an effective date of membership on the first day of the first pay period following the date that he or she earns 1040 hours of compensation.

gj 7/25

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Dan Mu
Deputy City Attorney
07/07/95

AD1642D.DRA

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 31, 1995	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-95-15

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-95-4 AS DIVIDED IN COMMITTEE 7/26/95 ORDINANCE NO. 267-95

(Government Funding) RO# 95011 SA#134

APPROPRIATING $1,218,888 FROM THE GENERAL FUND RESERVE FOR OVERTIME, FRINGE BENEFITS, MATERIALS AND SUPPLIES, OTHER NON-PERSONAL SERVICES AND SERVICES OF OTHER DEPARTMENTS FOR COSTS ASSOCIATED WITH THE UN 50 CELEBRATION IN THE SHERIFF AND THE POLICE DEPARTMENTS FOR FISCAL YEAR 1995-96. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL498 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	$ 1,218,888	
97-00-00	General City Responsibility		
Project 082-01	UN 50th Celebration		
01-0100 (550756)	Overtime		$ 173,095
01-0101	Overtime - Uniform		$ 917,726
04-0600	Mandatory Fringe Benefits		$ 11,019
10-1900	Other Non-Personal Services		$ 47,178
11-1300	Materials and Supplies		$ 64,070
30-3180	Services of DPW		$ 5,800
	Total	$ 1,218,888	$ 1,218,888

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: John Wendell

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SEP 12 1995
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Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
July 31, 1995		August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng		Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-4

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-95-4.1 AS DIVIDED IN COMMITTEE 7/26/95 ORDINANCE NO. 268-95

(Government Funding) RO# 95011 SA#134A

APPROPRIATING $25,011 FROM THE GENERAL FUND RESERVE FOR OVERTIME AND MATERIALS AND SUPPLIES FOR COSTS ASSOCIATED WITH OTHER PUBLIC SAFETY ACTIVITIES PERFORMED BY THE SHERIFF DEPARTMENT IN LATE JUNE, 1995 FOR FISCAL YEAR 1995-96. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	$ 25,011	
06-00-00	Sheriff		
01-0100 (306589)	Overtime		$ 21,918
11-1300	Materials and Supplies		$ 3,093
	Total	$ 25,011	$ 25,011

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

n:\work\approp\38SA#134a

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: John Wheeler

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 31, 1995	August 7, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-4.1

AUG 18 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 101-95-6 ORDINANCE NO. 269-95

(Government Funding) RO#95004
SA#138

APPROPRIATING AND CERTIFYING $6,100 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORK FOR FISCAL YEAR 1995-1996.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
35-801	**Repair & Replacement Project**		
90-06-00	Public Works - Engineering		
Project 776-40	Construction Contract - Sewer Repair		
20-2030 (542985)	Capital Improvement Project	$6,100	$6,100

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

n:\excel\budget\90sa138

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 31, 1995	$	August 7, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-95-6

AUG 18 1995
Date Approved

[signature]
Mayor

DOCUMENTS DEPT.
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FILE NO. 101-95-5 ORDINANCE NO. 270-95

(Government Funding) RO#95003
SA#120

APPROPRIATING AND CERTIFYING $49,101 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1995-1996.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
06-510	**Capital Project Fund Group**		
90-06-00	Public Works - Engineering		
Project 132-40	7132 E Candlestick Traffic Signal		
20-2030 (600502)	Capital Improvement Project	$49,101	$49,101

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY

n:\excel\budget\90sa120

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading
July 31, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

Finally Passed
August 7, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-95-5

AUG 18 1995
Date Approved

Mayor

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FILE NO. 164-95-2.1 ORDINANCE NO. 271-95

[Street Vacation]

ORDERING THE VACATION OF A PORTION OF THIRD STREET WITHIN THE MISSION BAY PROJECT AREA; ADOPTING FINDINGS THAT THE VACATION IS CONSISTENT WITH THE CITY'S MASTER PLAN AND EIGHT PRIORITY POLICIES OF CITY PLANNING CODE SECTIONS 101.1; AND FINDING THAT THE VACATION IS PART OF THE MISSION BAY PROJECT FOR PURPOSES OF COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND READOPTING THE MISSION BAY FINDINGS.

Be It ordained by the People of the City and County of San Francisco:

Section 1. On June 26, 1995, the Board of Supervisors adopted Resolution No. 540-95, being a Resolution of Declaration of Intention to Order the Vacation of a Certain Street Area Within the Mission Bay Project Area.

Section 2. The Street Area is shown in the Department of Public Works' SUR Map No. 595, dated May 2, 1995, and are more particularly described in the legal description attached to such map. Copies of such map and legal description are on file with the Clerk of the Board of Supervisors.

Section 3. The Clerk of the Board of Supervisors did transmit to the Department of Public Works a certified copy of such Resolution, and the Director of Public Works did cause notice of adoption of such Resolution to be posted in the manner required by law.

Section 4. When such matter was considered as scheduled by the Board of Supervisors at its regular meeting held in the City Hall, San Francisco, on July 31, 1995, beginning at 3:00 p.m.,

the Board heard all persons interested in such vacation.

Section 5. The vacation of the Street Area is necessary for the development of Pier Park, which is included in the approved Mission Bay Specific Plan.

Section 6. From all the evidence submitted at the hearing on such Resolution, the Board of Supervisors finds that the Street Area, as described in the above-referenced Resolution, is unnecessary for present or prospective public use, except as recited in Section 7 of this Ordinance below.

Section 7. The Board of Supervisors find that the public convenience and necessity require that the City reserve and except from the vacation of the Street Area:

1. Easement as reserved by the City and County of San Francisco Water Department for one hydrant and necessary water line in the vicinity of the intersection of Third Street and China Basin Street.
2. Easement as reserved by the City and County of San Francisco Department of Electricity for one Fire and Police Box, conduit and overhead line.
3. Easement for the benefit of Pacific Gas and Electric Company for overhead and underground electric facilities and underground gas facilities.
4. Easement for the benefit of Pacific Bell for underground conduits and aerial lines.

Section 8. The Board of Supervisors finds that the public convenience and necessity require that, except as recited in Section 7 of this Ordinance, above, no easements be reserved for public utility facilities, if any, that are in place in such Street Area and that any rights based upon any such public utility facilities are extinguished.

Section 9. The public interest and convenience require that the vacation be done as declared in

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such Resolution No. 540-95.

Section 10. By letter dated April 27, 1994, a copy of which is on file with the Clerk of the Board of Supervisors, the Department of City Planning found that the proposed vacation of the Street Area is consistent with the City's Master Plan, and with the Eight Priority Policies of City Planning Code Section 101.1. The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth, the findings as set forth in such letter from the Department of City Planning.

Section 11. Based on the final Mission Bay Environmental Impact Report ("FEIR"), and the memoranda to the Planning Commission from the Environmental Review Officer referred to in Planning Commission Resolution Nos. 12040 and 13017, the Board of Supervisors finds that (i) the vacation of the Street Area, which is a part of the Mission Bay Project (as defined in the Mission Bay findings adopted in Board of Supervisors Resolution No. 60-91 and modified in Board of Supervisors Resolution No. 139-91), does not require important revisions to the FEIR, and does not involve new significant environmental impacts, (ii) no substantial changes have occurred with respect to the circumstances under which the Mission Bay Project is to be undertaken which would require important revisions to the FEIR due to involvement of new, significant impacts and (iii) no new information of substantial importance to the Mission Bay Project has become available which would indicate the need for subsequent analysis of the environmental impacts, alternatives or mitigation measures; and therefore, no new effects could occur and no mitigation measures would be required.

Section 12. The Board of Supervisors hereby adopts and incorporates by reference the Mission Bay findings as previously adopted in Resolution No. 60-91 and modified by Resolution No. 139-91.

Section 13. The Board of Supervisors has acquired jurisdiction to order such vacation subject to

the above-described reservation of utility easements.

Section 14. The Street Area is hereby ordered vacated in the manner described in Resolution No. 540-95, without any further action of action of the Board of Supervisors, and subject to the reservations recited in Section 7 of this Ordinance.

Section 15. The Clerk of the Board of Supervisors is hereby directed to transmit to the Recorder and the Director of Public Works a certified copy of this Ordinance, and the Recorder and Director of Public Works are hereby urged to proceed in the manner required by law.

RECOMMENDED:

Director of Public Works

Port Executive Director
(Pursuant to Port Commission
Resolution No. 94-139)

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By
Deputy City Attorney

LR.avd/MISSIONB.ORD

DESCRIPTION
APPROVED/CHECKED:

City Engineer

(REAL ESTATE)

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 31, 1995	$	August 7, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
164-95-2.1

AUG 18 1995
Date Approved

Thomas M. Jordan
Mayor

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FILE NO. 65-95-6 ORDINANCE NO. 272-95

(APPROVING A FIFTEEN (15) YEAR LEASE WITH GOLDEN GATE PARK STABLES, INC.)

Approving a fifteen (15) year lease between the City and County of San Francisco and Golden Gate Park Stables, Inc., which provides for the operation of the horse stables in Golden Gate Park:

Section 1. That the certain Lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco, and Golden Gate Park Stables, Inc., a copy of which is on file in the Office of the Clerk of the Board of Supervisors and to which reference is made, is hereby approved.

Approved as to form:

LOUISE H. RENNE
City Attorney

By: Theodore R Lakey
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-95-6

8/25/95
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 101-95-7 AS AMENDED IN COMMITTEE 08/02/95 ORDINANCE NO. 273-95

(Government Funding)

RO#95006
SA#140

APPROPRIATING $36,480,000 OF 1990 EARTHQUAKE SAFETY BOND PROCEEDS AND INTEREST EARNINGS AND TRANSFERRING $8,491,539 FROM CAPITAL IMPROVEMENT PROJECTS AT THE VETERANS BUILDING AND CITY HALL TO CAPITAL IMPROVEMENT PROJECTS FOR SEISMIC UPGRADING OF THE WAR MEMORIAL OPERA HOUSE, DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1995-96. PLACING A RESERVE ON $34,831,269.

/02/95
grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
3C-EQS-90A	1990 Earthquake Safety Bond		
DPW-AT-AT	Public Works - Architecture		
800-80111 (DPW054569)	Proceeds Sale of Bonds	$18,480,000	
300-30150	Interest Earned - Pooled Cash	$18,000,000	
Proj. CARESTUN60	Veterans Bldg. Project		
060-06700 (DPW772194)	Capital Improvement Project	$2,900,091	
Proj. CARESTUN50	City Hall Project		
060-06700	Capital Improvement Project	$5,591,448	
Proj. CARES2PC02	DPW-Planning/Project Control		
060-06700	Capital Improvement Project		$2,600,000

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Proj. CARESTUN60	Performing Arts Bldg.		
060-06700	Capital Improvement Project		$42,371,539
	Total	$44,971,539	$44,971,539

08/02/95
grh

Section 2. Funds in the amount of $35,831,269 are hereby placed on reserve pending submission of budget details and the MBE/WBE status of the contractors to the Board of Supervisors and to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

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Board of Supervisors, San Francisco

Passed for Second Reading

August 7, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

Finally Passed

August 14, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Kaufman Kennedy
Migden Shelley Teng

Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-7

8/25/95
Date Approved

Mayor

FILE NO. 101-95-9 (Government Funding)

AS AMENDED IN COMMITTEE 08/02/95

ORDINANCE NO. 274-95

RO#95017
SA#141

08/02/95 grh

$597,015

APPROPRIATING ~~$650,000~~ OF HETCH HETCHY OPERATING FUNDS TO A CAPITAL IMPROVEMENT PROJECT TO ALLOW HETCH HETCHY TO REPAIR THE PRIEST RESERVOIR DIVERSION CHANNEL FOR FISCAL YEAR 1995-96. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5T-AAA-AAP	Hetch Hetchy Operating Fund		
UH-00-00	Hetch Hetchy		
GL 490 (320000)	Unappropriated Revenue	597,015 ~~650,000~~	
CUH906	Priest Reservoir Diversion Channel		
060-06700 (519061)	Capital Improvement Project		597,015 ~~650,000~~
	Total	597,015 ~~650,000~~	597,015 ~~650,000~~

08/02/95 grh

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

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Supervisor Hsieh
BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-95-9

8/25/95
Date Approved

[signature]
Mayor

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FILE NO. 101-95-10 AS AMENDED IN COMMITTEE 08/02/95

ORDINANCE NO. 275-95

(Government Funding)

RO#95020
SA #04

/02/95
grh

APPROPRIATING ~~$55,000~~ $55,431 OF FEDERAL REVENUE TO CONTRACTUAL SERVICES FOR THE INDEPENDENT LIVING SKILLS PROGRAM AT THE DEPARTMENT OF SOCIAL SERVICES FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-S&A-AGF	Welfare Assistance & Admin. Fund		
SS-DSS	Social Services		
400–40106 (455002)	Independent Living Program (Fed.-Admin.)	$55,431	
091–0911G (455003)	Revenue Transfer Out to 1G-AGF-AAA (General Fund), 45/00/00		$55,431
	Total Welfare Assistance & Admin. Fund	$55,431	$55,431
1G-AGF-AAA	General Fund		
SS-DSS	Social Services		
910–9101G (455025)	Revenue Transfer In from 1G-S&A-AGF; (Welfare Assistance & Admin. Fund), 45/00/00	$55,431	
021–02711 (455008)	Social Services Contracts		$55,431
	Total General Fund	$55,431	$55,431

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

Supervisor Hsieh
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

August 7, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

August 14, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng

Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-10

8/25/95
Date Approved

Frank M. Jordan
Mayor

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cc

FILE NO. 101-95-11 AS AMENDED IN COMMITTEE 08/02/95 ORDINANCE NO. 276-95

(Government Funding) RO#95018 SA#001

08/02/95 grh

APPROPRIATING ~~$38,171~~ $33,522 OF DISPUTE RESOLUTION PROGRAM FUNDS TO ALLOW THE MAYOR 'S OFFICE OF COMMUNITY DEVELOPMENT TO CONTINUE CONTRACTS FOR DISPUTE RESOLUTION SERVICES IN 1995-1996. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
2S-GSF-DRP	Dispute Resolution Program Fund		
MY-MYR	Mayor - Community Development		
GL 301 (008565)	Unappropriated Fund Balance	~~$38,171~~ $33,522	
020-02799	Prof. Services - Special Contracts		
(251947)	Community Board Program, Inc.		~~$19,574~~ $17,250
(251949)	California Community Dispute Services		~~$16,692~~ 14,606
(251950)	California Lawyers for the Arts		~~$1,005~~ 1,666
	TOTAL	~~$38,171~~ $33,522	~~$38,171~~ $33,522

8/02/95 grh

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

n:\excel\approj\25ee01

Supervisor Hsieh

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature] John L. Taylor
Clerk

File No. 101-95-11

8/25/95
Date Approved

[signature] Frank M. Jordan
Mayor

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FILE NO. 101-95-12 AMENDMENT OF THE WHOLE 08/02/95 AS AMENDED IN COMMITTEE 08/02/95 ORDINANCE NO. 277-95 RO#95022 SA#006

APPROPRIATING $1,211,014 FROM THE GENERAL FUND RESERVE FOR SALARIES MANDATORY FRINGE BENEFITS, MATERIALS AND SUPPLIES, EQUIPMENT AND THE CREATION OF SEVENTY EIGHT (78) POSITIONS FOR THE RECREATION AND PARK DEPARTMENT FOR FISCAL YEAR 1995-96

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
IG-AGF-AAA	General Fund		
097-097-097SD (995002)	Reserve for Employee Displacements	250,000	
XXX-XXX-XXXXX (995002)	Reserve for Recreation & Park	961,014	
001-001-00100 (RECADMIN)	Salaries - Misc.		46,652
013-013-01301 (RECADMIN)	Mandatory Fringe Benefits - Retirement		9,370
040-042-04299 (RECADMIN)	Materials and Supplies		5,000
001-001-00100 (RECPKSSQ)	Salaries - Misc.		221,000
013-013-01301 (RECPKSSQ)	Mandatory Fringe Benefits - Retirement		44,200
060-060-06041 (RECPKSSQ)	Shop, Bldg. & Field Maintenance Eqpt.		178,525
040-042-04299 (RECPKSSQ)	Materials and Supplies		90,000
001-001-00100 (RECCOMMSERV)	Salaries - Misc.		316,233
013-013-01301 (RECCOMMSERV)	Mandatory Fringe Benefits		102,834
001-005-00500 (RECCOMMSERV)	Temporary Salaries - Misc. -Budget		197,000
	Total	1,211,014	1,211,014

08/02/95 grh

08/02/95 grh

Section 2. Funds are hereby appropriated for seventy eight (78) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-3) as follows:

Class	Title	Rate	No. Positions Created
Index Code RECPKSSQ:			
3417 N L	Gardener	1243B1506	3
7514 N L	General Laborer	1203B1457	1
7328 N L	Operating Engineer	1543B2166	1
7355 N L	Truck Driver	1484B1690	1
2708 N L	Custodian	1013B1226	4
	Total Positions created on Index Code RECPKSSQ		10
Index Code RECADMIN:			
1632 N L	Senior Account Clerk	1203B1457	1
1818 N L	MIS Specialist	1596B1936	1
	Total Positions created on Index Code RECADMIN		2

SUPERVISORS HSIEH, KAUFMAN, BIERMAN

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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08/02/95
grh

Index Code RECCOMMSERV:

3208 N- L	Pool Lifeguard	891B1078	7
3204 N- L	Swimming Pool Cashier-Clerk	1008B1220	5
3284 N- L	Recreation Director	1152B1394	54
	Total Positions created on Index Code RECCOMMSERV		66
	Grand Total Positions Created		78

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: Edward Harrington

DEPARTMENT OF HUMAN RESOURCES

BY: Wendell Brazer
DIRECTOR

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

August 7, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

August 14, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng

Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-12

8/25/95
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-95-13 AS AMENDED IN COMMITTEE 08/02/95 ORDINANCE NO. 278-95

RO#95021
SA#005

APPROPRIATING $502,223 FROM THE GENERAL FUND RESERVE FOR SALARIES - MISC., MANDATORY FRINGE BENEFITS, MATERIALS AND SUPPLIES, EQUIPMENT PURCHASE/LEASE, SERVICES OF OTHER DEPARTMENT AND THE CREATION OF EIGHT (8) POSITIONS FOR THE RECREATION AND PARK DEPARTMENT FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

08/02/95
grh

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
IG-AGF-AAA	General Fund		
XXX-XXX-XXXXX (995002)	Reserve for Recreation & Park	502,223	
RP-REC	Recreation & Park		
001-001-00100 (RECPKSSQ)	Salaries - Misc.		272,204
013-013-01301 (RECPKSSQ)	Fringe Benefits - Retirement		54,441
040-042-04299 (RECPKSSQ)	Materials & Supplies		29,128
081-081-081WR (RECPKSSQ)	Sr.-DPW-Street Repair (AAO Fund)		20,000
060-060-06041 (RECPKSSQ)	Eqpt. Purchase/Lease (3 Vans)		57,450
040-042-04299 (RECADMIN)	Materials & Supplies		69,000
	Total	502,223	502,223

SUPERVISORS HSIEH, KAUFMAN, BIERMAN

BOARD OF SUPERVISORS

Section 2. Funds are hereby appropriated for eight (8) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-4) as follows:

Class	Title	Rate	No. Positions Created
Index Code RECPKSSQ:			
7344-N- L	Carpenter	1658B2014	2
7347-N- L	Plumber	1909B2319	2
7346-N- L	Painter	1506B1627	2
7395-N- L	Ornamental Iron Worker	1588B1927	1
7311-N- L	Cement Mason	1457B1765	1
	Total Positions created on Index Code RECPKSSQ		8

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

DEPARTMENT OF HUMAN RESOURCES

BY: [signature]
DIRECTOR

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-13

8/25/95
Date Approved

Mayor

FILE NO. 101-95-14 (Government Funding)

AS AMENDED IN COMMITTEE 08/02/95

ORDINANCE NO. 279-95

RO#95019
SA#02

APPROPRIATING $372,000 FROM THE GENERAL FUND RESERVE FOR SERVICES OF OTHER DEPARTMENTS - CITY ATTORNEY FOR THE COSTS OF THE REVISIONS IN THE SAN FRANCISCO TAX CODE AND CREATING FOUR (4) POSITIONS FOR FISCAL YEAR 1995-96. PLACING A RESERVE ON $186,000.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
IG-AGF-AAA	General Fund		
097-097-097AA (995002)	Reserve for Tax Collector/Audit	$372,000	
TR-TTX	Tax Collector		
081-081-081CT (xxxxxxxx)	GF-City Attorney - Legal Services (AAO)		$372,000
	Total	$372,000	$372,000

Section 2. Funds are hereby appropriated for four (4) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-3) as follows:

Class	Title	Rate	No. Positions Created
8176 L	Trial Atty.-Civil and Criminal	2177B2646	2
8180 L	Principal Atty.-Civil and Criminal	3139B3816	1
1458 L	Legal Secretary I	1429B1731	1
	Total Positions Created		4

Section 3. Funds in the amount of $186,000 are hereby placed on reserve pending receipt of the City Attorney's preliminary report to the Board of Supervisors, and to be released by the Budget Committee.

BOARD OF SUPERVISORS

SUPERVISORS HSIEH, KAUFMAN, BIERMAN

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON

BY: _____
CONTROLLER

DEPARTMENT OF HUMAN RESOURCES

BY: _____
DIRECTOR

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-14

8/25/95
Date Approved

Mayor

FILE NO. 102-95-3 ORDINANCE NO. 280-95

PUBLIC EMPLOYMENT SAL.ORD.AMEND. NO. 3

AMENDING ORDINANCE NO. 256-95 / (ANNUAL SALARY ORDINANCE, 1995/96)

REFLECTING THE ADDITION OF FOUR POSITIONS IN THE CITY ATTORNEY'S OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class and Item No.	Class Title	Compensation Schedule
		Department:	03 City Attorney	
		Division:	01 Legal Svcs-Genl Fund	
		Section:	00 Legal Svcs-Genl Fund	
		Program:	6250 Legal Svcs-Genl Fund	
		Fund:	01001 General Fund	
		Index:	302505 CA-Leg Svc Genl-Exp	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Misc.	
1 Added	1	8180 L Principal Attorney	SC	$3139B3816
2 Added	2	8176 L Trial Attorney	SC	$2177B2646
1 Added	1	1458 L Legal Secretary I	SC	$1429B1731

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Linda Mancuso
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: [signature]
DEPUTY CITY ATTORNEY

NO. 3

SUPERVISORS HSIEH, KAUFMAN, BIERMAN

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-95-3

8/25/95
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 102-95-4 AS AMENDED IN COMMITTEE 08/02/95 ORDINANCE NO. 281-95

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 2

AMENDING ORDINANCE NO. 256-95 (ANNUAL SALARY ORDINANCE, 1995/96)

REFLECTING THE ADDITION OF 8 POSITIONS IN THE RECREATION AND PARK DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 256-95 (Annual Salary Ordinance, 1995-96) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class and Item No.	Class Title	Compensation Schedule
		Department:	42 Recreation and Park Commission	
		Division:	03 Park	
		Section:	03 District Parks & Squares Maint.	
		Program:	5102 Maint & Op of Neighborhood Pks & Fac.	
		Fund:	01001 General Fund	
		Index:	621920 N/P/S Exp-Conces Fund	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries - Misc.	
08/02/95 grh 2 ADDED	2	7344 ~~N~~ L	Carpenter	SC $2014B2449
2 ADDED	2	7347 ~~N~~ L	Plumber	SC $2319B2819
2 ADDED	2	7346 ~~N~~ L	Painter	SC $1827B2221
1 ADDED	1	7395 ~~N~~ L	Iron Worker	SC $1927B2342
1 ADDED	1	7331 ~~N~~ L	Cement Mason	SC $1003B1214

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Sonda Marinoff
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BGW
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

SUPERVISOR HSIEH, KAUFMAN, BIERMAN NO. 2

CC

Board of Supervisors, San Francisco

Passed for Second Reading

August 7, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

August 14, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng

Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-95-4

8/25/95
Date Approved

Mayor

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FILE NO. 102-95-5 AS AMENDED IN COMMITTEE 08/02/95 ORDINANCE NO. 282-95

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 1

AMENDING ORDINANCE NO. 256-95 (ANNUAL SALARY ORDINANCE, 1995/96)

REFLECTING THE ADDITION OF 78 POSITIONS IN THE RECREATION AND PARK DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 256-95 (Annual Salary Ordinance, 1995-96) are hereby amended so that the same shall read as follows:

(Amendment)		No. Pos.	Class and Item No.	Class Title	Compensation Schedule
	Department:		42	Recreation and Park Commission	
	Division:		03	Park	
	Section:		03	District Parks & Squares Maint.	
	Program:		5102	Maint & Op of Neighborhood Pks & Fac	
	Fund:		01001	General Fund	
	Index:		621920	N/P/S Exp-Conces Fund	
	Proj/Phase:		000/00	Unassigned Title	
	Object:		001	Permanent Salaries - Misc.	
3 ADDED		3	3417 ~~N~~ L	Gardener	SC $1243B1506
1 ADDED		1	7514 ~~N~~ L	General Laborer	SC $1131B1304
1 ADDED		1	7328 ~~N~~ L	Operating Engineer	SC $2166B2632
1 ADDED		1	7355 ~~N~~ L	Truck Driver	SC $1890B2297
4 ADDED		4	2708 ~~N~~ L	Custodian	SC $1003B1214
	Department:		42	Recreation and Park Commission	
	Division:		02	Administration/Business Office	
	Section:		01	Administrative	
	Program:		5501	Deptl Admin-Business Office	
	Fund:		01001	General Fund	
	Index:		621904	Adm/Bus Off Exp Conces Fund	
	Proj/Phase		000/00	Unassigned Title	
	Object:		001	Permanent Salaries-Misc.	
1 ADDED		1	1632 ~~N~~ L	Sr. Account Clerk	SC $1191B1443
1 ADDED		1	1818 ~~N~~ L	MIS Specialist II	SC $1565B1899

SUPERVISORS HSIEH, KAUFMAN, BIERMAN

(Amendment)		No. Pos.	Class and Item No.	Class Title	Compensation Schedule
	Department:		42	Recreation and Park Commission	
	Division:		01	Recreation	
	Section:		03	Community Services	
	Program:		5202	Recreational Act & Community Svcs	
	Fund:		01001	General Fund	
	Index:		621888	Com Svc Exp Conces Fund	
	Proj/Phase:		000/00	Unassigned Title	
	Object:		001	Permanent Salaries/Misc.	
7 ADDED		7	3208 ~~N~~ L	Pool Lifeguard	SC $ 882B994
5 ADDED		5	3204 ~~N~~ L	Pool Cashier	SC $ 998B1208
54 ADDED		54	3284 ~~N~~ L	Recreation Director	SC $1141B1381

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Linda Marinoff
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: [signature]
DEPUTY CITY ATTORNEY

NO. 1

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-95-5

8/25/95
Date Approved

Frank M. Jordan
Mayor

FILE NO. 117-95-1 ORDINANCE NO. 383-95

(Fire Department Fees)

AMENDING PART II, CHAPTER IV OF THE SAN FRANCISCO MUNICIPAL CODE (FIRE CODE) BY AMENDING SECTIONS 3.104, 4.204, 4.207 AND 4.208 THEREOF, TO INCREASE THE FEES FOR REINSPECTION OF VIOLATIONS, SERVICE FEES, HIGH-RISE INSPECTION FEES, FEES FOR REVIEW OF PLANS SUBMITTED WITH BUILDING PERMIT APPLICATIONS AND FOR INSPECTION OF BUILDING CONSTRUCTION.

NOTE: Additions or substitutions are underlined; deletions are indicated in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter IV of the San Francisco Municipal Code (Fire Code) is hereby amended by amending Sections 3.104, 4.204, 4.207 and 4.208 thereof to read as follows:

Enforcement Against Violations

Sec. 3.104. (a) Violations Unlawful. Any condition in violation of this code or any condition that, in the opinion of the Chief of Division, is a fire hazard, as defined by this code, is hereby found and declared to be unlawful and a public nuisance. Should any permit which has been issued for a condition that was not then in conformity with the provisions of this code, such permit shall be null and void.

(b) Enforcement of Fire Safety Laws; Designated Officers and Employees. Pursuant to California Penal Code, Title 3, Section 836.5., the classes of officers or employees of the City and County of San Francisco listed below are empowered to enforce

all provisions of the San Francisco Fire Code against violations as a misdemeanor or infraction by exercising arrest and citation authority.

Classification No.	Class Title
H-50	Assistant Chief
H-40	Battalion Chief
H-30	Captain
H-20	Lieutenants
H-10	Chief Aid
H-32	Captain Division of Fire Prevention and Investigation
H-22	Lieutenants Bureau of Fire Prevention
H-24	Lieutenants Bureau of Fire Investigation

Classification No.	Class Title
H-4	Inspectors Fire Prevention and Public Safety
H-6	Investigators Bureau of Fire Investigation
6280	Fire Safety Inspectors I - Bureau of Fire Prevention and Public Safety
6281	Fire Safety Inspectors II - Bureau of Fire Prevention and Public Safety
5215	Fire Protection Engineer

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The chief of the fire department in coordination with the chief of police shall establish and cause to be administered a special enforcement training program designed to instruct each officer or employee who will exercise arrest and citation authority. Such training shall include guidance and instruction regarding the evidentiary prerequisites to proper prosecution for violations thereof; the appropriate procedures for making arrests or otherwise prudently exercising such arrest and citation authority; and the legal and practical ramifications and limitations relevant to exercising enforcement authority.

(c) Methods of Enforcement. The Chief of Division shall have authority to enforce this code against violations thereof by any of the following actions:

1. Serving notice requiring the cessation, removal or correction of any violation of this code upon the owner, agent or tenant of the property that is the subject of the violation, or upon the architect, builder, contractor or other person who commits or assists in such violation.

2. The classes of officers and employees set forth in subsection (b) of this section shall utilize, where appropriate, the procedure prescribed by Section 836.5 and Chapter 5C (commencing with Section 853.5) of Title 3, Part 2, of the Penal Code of the State of California.

3. Calling upon the city attorney to maintain an action for injunction to restrain or abatement to cause the correction

or removal of any such violation, and for assessment and recovery of a civil penalty for such violation;

4. Calling upon the district attorney to institute criminal proceedings in enforcement of this code against any such violation; and

5. Calling upon the Chief of Police and authorized agents to assist in the enforcement of this Code.

(d) Reinspection of Violation Fee. If an inspection by a designated officer or employee of the fire department discloses a violation(s) of a fire safety regulation(s), the department shall determine a period of time that is reasonable to remedy the violation and reinspect the property to verify such correction. The department shall collect a fee in the amount of ((~~$60.00~~)) $68.50 to compensate the department for its costs to perform such reinspection that is necessary to certify correction of the code violation(s) and secure compliance with the applicable Fire Code requirements. On site inspections which require more than one hour to complete shall be subject to an additional fee at the rate of ((~~$15.00~~)) $17.12 for each quarter-hour increment beyond the first sixty minutes of the department's on-site review.

Service Fee Charge

Sec. 4.204 (a) A service fee of $75 shall be charged for each false fire alarm determined to be caused by alarm system malfunctions to which the fire department responds after the

first five such false fire alarms at that address within any calendar year.

(b) Upon the request of a person or firm for a preliminary site inspection or survey of a premise for compliance with this code or other regulatory codes enforced by this department, a service fee of ((~~$62.50~~)) $68.50 per hour shall be collected for such on-site inspections and consultations. Fees shall be paid at the time the request is submitted.

High Rise Inspections Fees

Sec. 4.207. (a) In conducting inspections of high rise structures pursuant to Section 13217 of the California Health and Safety Code, the San Francisco Fire Department shall require the owner of the structure to pay a fee to cover the department's costs of inspection. Such fee shall be calculated on the basis of ((~~four dollars~~)) $4.91 per 1000 square feet of gross floor area, and shall be collected by the fire department.

(b) For purposes of this section, the term "gross floor area" shall be defined as the entire area of each floor, attic, basement or shaft of a building included within the surrounding exterior walls of a building, including any portion not included within the surrounding exterior walls; provided, however, that such portion is under the horizontal projection of the roof or floor above.

(c) A notice of payment due shall be sent by the fire department to the owner of the structure and shall contain the following information:

1. The date and location of the fire department's high rise inspection.
2. The amount of the inspection fee.
3. A statement advising the owner of the structure that he or she is liable under this section for the costs of inspection in the amount indicated in the notice and that payment to the city to reimburse it for these cost is due within 60 days of the mailing date of the notice;
4. A statement advising that a penalty of 10 percent plus interest at the rate of one percent per month on the outstanding balance shall be added to the costs from the date that payment is due under subsection (c)3;
5. A statement advising the owner of the structure that if payment of the costs is not received within 90 of the mailing date, a lien may be imposed on the property of the owner of the structure pursuant to the provisions of this section.
6. A statement that the owner of the structure may appeal the square foot determination contained in the

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notice of payment due to the chief of department. Said appeal must be filed in writing with the fire department no later than 30 days after the date the notice of payment due is issued. The chief of department's decision on the appeal shall be final.

(d) If full payment of the costs is not received within 60 days after the notice of payment due was sent, a second notice of payment due shall be sent by the fire department to the owner of the structure. The second notice shall state that the owner of the structure is liable for the payment of the costs indicated on the notice and that if payment of such costs if not received within 30 days of the mailing date of the second notice, a lien may be imposed on the subject high rise structure pursuant to the provisions of this section.

(e) If payment is not received within 30 days following mailing of the second notice, the fire department shall initiate special assessment lien proceedings pursuant to the provisions of Article XX, Chapter 10 of the San Francisco Administrative Code, by reporting the delinquency to the board of supervisors. The entire unpaid balance of the costs, including penalty on the unpaid balance, shall be made a special assessment against the subject high

rise structure. Such charges against delinquent accounts shall be reported to the board at least once each year. The chief of department may advise the fire department and the board which of such delinquent accounts should be exempted from the lien procedure because of the small amounts involved, or because another procedure is more appropriate.

Plan Review Fee Schedule

Sec. 4.208. Plan Review Fees. Upon application for a permit for the erection of a new building or for alteration work for which plans are required by the ((bureau)) Department of Building Inspection, the central permit bureau shall charge and collect a fee to compensate the fire department for its costs to review plans submitted with building permit applications for compliance with fire safety regulations. The fee shall be based on the valuation of the work as determined by the ((bureau)) Department of Building Inspection. The plan review fee shall be as follows:

TABLE NO. 4.208A--PLAN REVIEW FEES

VALUATION Over	VALUATION Not More Than	FEE
$0	$1,000	((($25.00)) $33.00

$1,000	$5,000	((($25.00)) $33.00 plus ((($7.50)) $10.00 per $1,000 over $1,000
$5,000	$10,000	((($55.00)) $73.00 plus ((($5.00)) $6.60 per $1,000 over $5,000
$10,000	$50,000	((($80.00)) $106.00 plus ((($2.50)) $3.325 per $1,000 over $10,000
$50,000	$100,000	((($180.00)) $239.00 plus ((($1.60)) $2.12 per $1,000 over $50,000
$100,000	$500,000	((($260.00)) $345.00 plus ((($0.70)) $0.925 per $1,000 over $100,000
$500,000	$2,500,000	((($540.00)) $715.00 plus ((($.38)) $0.51 per $1,000 over $500,000
$2,500,000	$5,000,000	((($1,300)) $1,735.00 plus ((($0.24)) $0.314 per $1,000 over $2,500,000
$5,000,000	$15,000,000	((($1,900)) $2,520.00 plus ((($0.15)) $0.20 per $1,000 over $5,000,000
$15,000,000	$30,000,000	((($3,400)) $4,520.00 plus ((($0.09)) $0.12 per $1,000 over $15,000,000
$30,000,000	$50,000,000	((($4,750)) $6,320.00 plus ((($0.0675)) $0.09 per $1,000 over $30,000,000
$50,000,000	$100,000,000	((($6,100)) $8,120.00 plus ((($0.05)) $0.066 per $1,000 over 50,000,000
$100,000,000	---	((($8,600.00)) $11,420.00 plus ((($0.03)) $0.04 per $1,000 over $100,000,000

(b) Field Inspections. When the fire department determines

a field inspection is also required to certify that building ((plans and))) construction ((are)) is in compliance with fire safety regulations, it shall calculate an additional fee to compensate for the additional costs to conduct such inspection(s). The central permit bureau shall collect the inspection fee due, as calculated by the fire department, prior to the issuance of a building permit. The fire department shall document its time conducting field inspections for construction projects valued over $500,000. The fire department shall charge an hourly rate of ((($62.50)) $68.50 for field inspection time which exceeds three (3) hours for such building projects. The fire department shall collect the balance of the total inspection fee due from the permittee, which has not been paid to the central permit bureau, prior to the issuance of the certificate of final completion and occupancy to the property owner. The fire department shall reimburse the ((bureau)) Department of Building Inspection special fund for the costs incurred by the bureau of building inspection in collecting such fees.

The field inspection fee shall be as follows:

TABLE NO. 4.208B--FIELD INSPECTION FEES

VALUATION		FEE
Over	Not More Than	
$0	((($50,000)) $10,000	((($62.50)) $68.50
$10,000	$50,000	$128.00
$50,000	$500,000	((($125.00)) $187.50
$500,000		((($187.50)) $281.25

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All plan review and field inspection fees charged by the fire department pursuant to these provisions shall be excluded from the provisions of The San Francisco Administrative Code Section 10.117-78 regulating the deposit of plan review fees.

APPROVED AS TO FORM:

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Tang	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Tang
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 117-95-1

8/25/95
Date Approved

Mayor

AS AMENDED IN BOARD 7/31/95
AS AMENDED IN BOARD 8/7/95

FILE NO. 121-95-4 ORDINANCE NO. 284-95

(Amending Juvenile Curfew Ordinance)

AMENDING THE SAN FRANCISCO MUNICIPAL CODE, PART II, CHAPTER 8 (POLICE CODE) BY AMENDING SECTION 539 THERETO TO CHANGE THE APPLICABLE AGE, EXCEPTIONS, ENFORCEMENT PROCEDURES OF THE JUVENILE CURFEW AND TO CREATE AN OVERSIGHT COMMITTEE; PROVIDING FOR SUNSET CLAUSE.

NOTE: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Code, Part II, Chapter 8 (Police Code) is hereby amended by amending Section 539 thereto as follows:

SEC. 539. CURFEW LAW. (a) Findings. The Board of Supervisors finds that a critical need exists for a juvenile curfew ordinance. Minors under the age of 17/~~16~~ ((14)) possess a particular vulnerability to crime and harmful influence under certain circumstances or when not supervised or accompanied by a parent or legal guardian at night; such minors often lack the ability to make critical decisions in an informed and mature manner when exposed to nighttime influences. A curfew ordinance can help to ensure that minor's parent or legal guardian is able to play an important role in the minor's development and upbringing. Under existing State law, there are limited circumstances under which a police officer can intervene to assist a minor who is in danger or need of assistance. In the absence of a curfew ordinance, an officer does not have a clear guideline as to whether or not he or she can detain a minor to obtain assistance. Accordingly, the Board of Supervisors finds that this juvenile curfew ordinance is necessary. The ordinance is precisely tailored to ensure the welfare of minors and to promote and protect parents' ability to play a role in their children's upbringing.

(b) Definitions. For the purposes of this Section, the following definitions shall apply:

(1) Emancipated Minor. An emancipated minor is a minor who has entered into a valid marriage, is on active duty with any of the armed forces, or has received a declaration of emancipation, as more fully set forth in California Family ((Civil)) Code Sections 7000, et seq. ((62 and 64.))

(2) Emergency Mission. An emergency mission is a venture to obtain medical, police, fire, or other assistance that is required by some reasonable necessity to which a minor must attend.

(3) Legitimate Employment. Legitimate employment is any lawful source of employment or self-employment in connection with a business, trade, profession, or occupation.

(4) Express Parental Permission. Express parental permission is the verifiable permission of a minor's parent or legal

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guardian for the minor to be in or on any public street, public park, or any other public place during the hours of curfew set forth in Subdivision (c). When stopped for a possible violation of Subdivision (c), it shall be the minor's responsibility to demonstrate that he or she has express parental permission. The minor may satisfy this burden equally through any means including, but not limited to, signed and verifiable documentation from a parent or legal guardian specifying the date, time and purpose of permission or presentation of a form developed and administered by the Police Department. If a minor is unable to demonstrate that he or she has express parental permission and no other exception applies, the minor may be transferred to the nearest district police station. For minors who allege but are unable to demonstrate express parental permission, the officer in custody of the minor at the station immediately shall attempt to contact the minor's parent or legal guardian to determine if the minor has express parental permission. If the officer determines that the minor has express parental permission and the minor is not being held for any other charges, the minor immediately shall be released and returned to the place of initial detention as authorized by the minor's parent or legal guardian. If the officer does not determine that the minor has express parental permission, the minor shall be deemed to be in violation of Subdivision (c).

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(5) Minor. A minor is any person under the age of 17 ~~16~~ ((14)) years.

(6) Other Public Place. Other public place includes all other public or private property, in addition to a public street or public park, that is out of doors and immediately accessible by the public in general, such as plazas, parking lots, doorways, or access ways. Other public place shall not include the residence of a minor or a minor's relative or a street, sidewalk, or yard immediately adjacent to the residence.

(7) Parent or Legal Guardian. A parent or legal guardian is a person or spouse of a person who has the legal custody or care of a particular minor. For purposes of Subdivision (c)(1), parent or legal guardian also includes an adult who is accompanying a minor with the express permission of the minor's parent or legal guardian.

(8) Public Park. Public park includes all grounds, roadways, squares, recreation facilities, and other property placed under the control, management, and direction of the San Francisco Recreation and Park Commission.

(9) Public Street. Public street includes all public sidewalks, crosswalks, roadways, alleys, and intersections that are not immediately adjacent to a minor's residence.

(10) Religious, Educational or Political Activity. A religious, educational or political activity includes, but is not limited to, a rally, demonstration, march, vigil, service, or school sponsored event, or distribution of information which has as its primary focus political, educational or religious purposes.

(c) Violation. It shall be unlawful for any minor to be in or on any public street, public park, or any other public place between the hours of 12:00 midnight and 5:00 a.m., except for the following:

(1) When the minor is accompanied by a parent or legal guardian, or when the minor is present with one or more other minors, at least one of which is accompanied by a parent or legal guardian;

(2) When the presence of the minor in or on any public street, public park, or any other public place is connected with and required by some legitimate employment in which the minor is engaged;

(((3) When the minor has express parental permission;))

(3) When the minor is on an errand at the direction of the minor's parent or guardian, without detour or stop;

(4) When the minor is an emancipated minor;

(5) When the minor is engaged in an emergency mission; ((or))

(6) When the minor is participating in a religious, educational, or political activity; or

(7) When the minor is returning directly home, without detour or stop, from a school, cultural, sports, amusement, entertainment, or recreation activity, or any organized rally, demonstration, meeting or similar activity.

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(d) Procedure. When a minor is cited, booked, detained, or arrested for the violation of Subdivision (c) of this Section, the officer taking such action shall follow the procedures established by the San Francisco Police Department for treating juveniles who have violated California Welfare and Institutions Code Section 601. If a minor is arrested for violation of Subdivision (c), the minor shall not be held in a secure facility. When a minor is placed in custody for a violation of Subdivision (c), the arresting officer or other authorized personnel immediately shall make every effort to notify the minor's parent or legal guardian pursuant to procedures established by the Police Department. If the arresting officer is told by the minor, or discovers upon attempting to notify the minor's parent or legal guardian, that the parent's or legal guardian's first language is a language other than English, the officer will locate an officer or translator who is culturally sensitive and linguistically proficient to speak with the parent or guardian. If the minor's parent or legal guardian cannot be contacted after continued efforts, the minor shall be transferred to a receiving facility pursuant to Police Department procedures. The arresting officer shall forward to the Juvenile Probation Officer at the Youth Guidance Center a copy of the arrest report, setting forth the circumstances of the arrest of the minor. If the parent or legal guardian of any minor arrested for the violation of Subdivision (c) of this Section appears at the place where the minor is being detained pursuant to Police Department procedures, the

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Officer in charge shall release the minor to the minor's parent or legal guardian. If the minor reports to the police that the minor does not wish to return to the minor's place of residence because the minor's parent or legal guardian is unable or unwilling to provide appropriate care for the minor, then the matter shall be immediately forwarded for evaluation to the Department of Social Services pursuant to Welfare and Institutions Code Section 300, et seq.

It shall be the duty of the Juvenile Probation Officer handling the case to cause to be issued and served upon the arrested minor's parent or legal guardian a notice, requiring the parent or legal guardian to appear at a time and place to be specified in the notice, pursuant to the procedures established by the Juvenile Probation Department. Any person failing or neglecting to respond to any notice issued and served pursuant to the provisions of this Subdivision shall be guilty of a misdemeanor.

(e) Duty to Prosecute. It shall be the duty of the District Attorney to prosecute any person failing to respond to any notice issued pursuant to the Subdivision (c).

(f) Curfew Oversight Committee. A Curfew Oversight Committee shall be established and shall be composed of nine members, each appointed to a one year term commencing not later than sixty (60) days after the effective date of this ordinance. Three members shall be appointed by the Mayor, one of which shall be a representative of a youth advocate organization. Three members shall be appointed by the Board of Supervisors - one of which shall

be a representative of a youth advocate organization and one of which shall be a minor under the age of 18. One member each shall be appointed by the Human Rights Commission, the Delinquency Prevention Commission and the Presiding Judge of the Juvenile Court. The Task Force shall study curfew violations during the first nine (9) months of the implementation of this ordinance. In addition, the Task Force shall study the cause of curfew violations, alternatives to curfew violations available to San Francisco children, the need to further alter San Francisco's curfew laws, the feasibility of creating a central holding facility for curfew violators, and police and probation officer procedures and practices for curfew violators. No later than eleven (11) months after the effective date of this ordinance, the Task Force shall deliver a written report of its findings and recommendations to the Mayor and to the Board of Supervisors. The Task Force shall cease to exist one year after the effective date of this ordinance, unless extended by the Board of Supervisors.

(g) This ordinance shall automatically expire on December 31, 1996, unless extended by the Board of Supervisors; notwithstanding Section 539 (b)(5), this ordinance shall not be enforced based on the new definition of a "minor" until the Oversight Committee is duly appointed.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 7, 1995	August 14, 1995
Ayes: Supervisors Hallinan Hsieh Kaufman Kennedy Leal Migden Teng Shelley	Ayes: Supervisors Hallinan Kaufman Kennedy Migden Shelley Teng
Noes: Supervisors Alioto Ammiano Bierman	Noes: Supervisors Alioto Ammiano Bierman
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-95-4

Date Approved

Mayor

August 28, 1995

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 2.302 of the Charter, became effective without his approval in accordance with the provision of said Section 2.302 of the Charter.

John L. Taylor
Clerk

File No. 121-95-4

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FILE NO. 34-95-1 ORDINANCE NO. 285-95

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALKS" BY ADDING THERETO SECTION NO. 1518 CHANGING THE OFFICIAL WIDTHS OF SIDEWALKS ON THE CASTRO STREET BUS BULBS PROJECT AS SHOWN ON THE DEPARTMENT OF PUBLIC WORKS DRAWINGS LABELED Q-20-245 AND Q-20-246 AND MAKING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1: Ordinance No. 1061 entitled " Regulating the Width of Sidewalks", be and is hereby amended in accordance with the communication filed in the Office of the Clerk of the Board of Supervisors, by adding thereto a new section to be numbered as follows:

Section 1518. The width of sidewalks on a) Castro and 18th Streets, shall be as shown on the Department of Public Works drawing labeled Q-20-425, and b) Castro Street at 17th and Market Streets, shall be as shown on the Department of Public Works drawing labeled Q-20-426.

SECTION 2: The Planning Department in its letter dated January 18, 1995 states that the above described changes of official sidewalk widths are in conformity with the Master Plan and makes findings of consistency with the Eight Priority Policies of Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department in its letter dated January 18, 1995, that the project intended by the proposed changes of official sidewalk widths are consistent with the Eight Priority Policies of Planning Code Section 101.1.

///

The Bureau of Engineering, Department of Public Works, as is necessary as a result of this Ordinance, shall make arrangements with Public Utility companies and City Departments for the relocation and / or adjustment of their facilities in the affected sidewalk and street areas.

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED:

City Engineer

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By
Deputy City Attorney

APPROVED:

Chief Administrative Officer

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
August 14, 1995	§	August 21, 1995
	§	
	§	
Ayes: Supervisors Alioto Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
	§	
Absent: Supervisors Ammiano Hsieh Leal	§	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
34-95-1

SEP 1 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 93-95-35.1 ORDINANCE NO. 286-95

(Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICIAL ENGINEERS, AFL-CIO, LOCAL 21 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding between the International Federation of Professional and Technicial Engineers, AFL-CIO, Local 21 and the City and County of San Francisco. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

Supervisor Alioto

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 14, 1995	August 21, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
Absent: Supervisors Hsieh Leal	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-95-35.1

SEP 1 1995
Date Approved

Mayor

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FILE NO. 97-95-36 ORDINANCE NO. 287-95

[Residential Rent Stabilization Fee]

AMENDING ARTICLE 37A OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 37A.4 TO PROVIDE FOR COLLECTING THE RESIDENTIAL RENT STABILIZATION AND ARBITRATION FEE ON PROPERTY TAX BILLS.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 37A of the San Francisco Administrative Code is hereby amended by amending Section 37A.4 to read as follows:

SEC. 37A.4. IMPOSITION OF THE FEE. The owner of each residential unit in San Francisco shall pay annually to the City and County of San Francisco a Residential Rent Stabilization and Arbitration fee to be calculated by the Controller as provided in Section 37.A.2(d) above. The Tax Collector shall bill the fee to the owners of all residential units as a special assessment on the property tax bill. All laws applicable to the collection and enforcement of ad valorem property taxes shall be applicable to the collection and enforcement of the Residential Rent Stabilization and Arbitration fee special assessment. ((The fee is due and payable on October 1st.))

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APROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Julia M. C. Friedlander
JULIA M. C. FRIEDLANDER
Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 14, 1995	August 21, 1995
Ayes: Supervisors Alioto Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
Absent: Supervisors Ammiano Hsieh Leal	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-95-36

SEP 1 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 106-95-9 AS AMENDED IN COMMITTEE 08/08/95 ORDINANCE NO. 288-95

SETTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE MUNICIPAL COURT FOR THE CITY AND COUNTY OF SAN FRANCISCO FOR FISCAL YEAR 1995-96.

Be it ordained by the People of the City and County of San Francisco:

I. This ordinance, which has been approved by a majority of the judges of the Municipal Court pursuant to Government Code section 74504.5(b), establishes the rates of compensation and benefits effective July 1, 1995 for the following classifications of Municipal Court Employees: 0210 Clerk-Administrator, 0220 Chief Deputy, 0221 Executive Assistant, 0222 Court Training Coordinator, 0223 Court Fiscal Officer, 0225 Criminal Courts Calendar Coordinator, 0230 Division Chief, 0240 Court Program Analyst Manager, and 0242 Court Computer System Director, and benefits effective October 1, 1995 for the following classifications: 0215 Bail Commissioner and 0255 Court Commissioner.

II. The schedule of compensation for the above employees is attached hereto as Appendix 1.

III. For purposes of this ordinance, the term "covered employees" shall mean those classifications enumerated in paragraph

I above. The term "Court" shall mean the Municipal Court in and for the City and County of San Francisco.

IV. Compensation and Additional Economic Benefits for All Covered Employees in the Above Classes

A. HOLIDAYS

1. Floating Holidays

In addition to those days designated by state statute as Court holidays, covered employees shall continue to receive the number of additional holidays provided to them in FY 94-95, to be taken on days selected by the employee subject to the approval and sole discretion of the Court. Employees must complete six (6) months continuous service before receiving the additional days, except when a particular day has been determined to be a floating holiday for all of the employees in the Court; provided that all part-time employees who are not regularly scheduled, but are employed on an as needed, irregular intermittent or other irregular basis are ineligible for the additional days. Floating holidays shall be taken at a time mutually agreeable to the employee and the appropriate employer representative.

2. Part-time Employees Eligible for Holidays

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Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holiday pay on a proportionate basis.

Therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employer and the appropriate employer representative.

3. Holiday Compensation for Time Worked

Employees covered by this ordinance who are required by the Court to work on a State holiday, excepting Fridays observed as holidays in lieu of holidays falling on a Saturday, shall be granted time off equivalent to the time worked at the rate of one-and-one

half times for work on the holiday. Time off in lieu shall be scheduled at the discretion of the Court.

4. Holiday Pay for Employees Laid Off

An employee covered by this section who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.

B. HEALTH AND DENTAL CARE BENEFITS

1. The level of the City's contribution to health benefits will be set annually in accordance with the requirements of Charter Sections 8.423 and 8.428.

2. The City shall continue to provide the level of dental coverage for each member and family dependents provided in FY 94-95 through FY 95-96.

C. STATE DISABILITY INSURANCE (SDI)

Upon a vote by one-half or more of the members of a covered classification that the members desire to be enrolled in the State Disability Insurance Program, the Board of Supervisors shall take any and all necessary action to enroll such employees therein. The cost of SDI will be paid by the employee through payroll

deduction at a rate established by the State of California Employment Development Department.

At the employee's option, the employee's accrued sick leave, vacation, and holidays shall be integrated with SDI payments to provide a maximum to the employee of their gross income.

D. REIMBURSEMENT OF MILEAGE AND RELATED EXPENSES

Covered employees required to use their own vehicle for City business shall be reimbursed for mileage as fixed by the Controller in accordance with IRS rules, and will be reimbursed for all necessary parking and toll expenses.

E. FINGERPRINTING

The City shall bear the full cost of fingerprinting whenever such is required of the employees.

F. RETIREMENT BENEFIT PROCESSING TIME

The Retirement Board shall process and pay retirement claims, except in cases beyond the Board's control, in the following manner:

BENEFIT	PROCESSING TIME
Initial monthly retirement allowance.	Initial payment shall begin within sixty (60) days after the first of the month following the date of retirement provided that the appropriate forms of the Retirement System have been submitted.
Withdrawal of Contributions.	A refund of contributions will be paid within six (6) weeks following submission of the appropriate forms of the Retirement System.
Death Benefit.	A death benefit will be paid within thirty (30) days from the filing of the appropriate forms of the Retirement System.

V. Compensation and Additional Economic Benefits for Classifications 0210 Clerk-Administrator, 0220 Chief Deputy, 0221 Executive Assistant, 0222 Court Training Coordinator, 0223 Court Fiscal Officer, 0225 Criminal Courts Calendar Coordinator, 0230 Division Chief, 0240 Court Program Analyst Manager, and 0242 Court Computer System Director, and benefits effective October 1, 1995 for the following classifications: 0215 Bail Commissioner and 0255 Court Commissioner.

A. ADMINISTRATIVE LEAVE

1. As of July 1, 1995, employees covered by this agreement shall forfeit all accrued compensatory time off in excess of 240 hours and all right to accrue and use compensatory time off in the future. Compensatory time not in excess of 240 hours, which

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was earned but unused as of July 1, 1995, may be used during the 1995-96 fiscal year. Unused compensatory time remaining at the end of the fiscal year shall be forfeited for all purposes.

2. Employees in the classifications covered by this ordinance are required to work the hours necessary to perform the job duties of their position which often exceed eighty hours per pay period. In light of this work requirement, each full-time employee in these classifications may receive up to five (5) days of administrative leave on an annual basis subject to the approval of the Clerk-Administrator. Administrative leave for these employees may not be carried over into subsequent years and cannot be cashed out.

3. For purposes of this provision, legal holidays provided for in the Government Code shall be considered time worked.

B. FLEXIBLE BENEFIT PACKAGE

The City will contribute $75 per month effective October 1, 1995, ~~and an additional $75 per month effective October 1, 1996~~ toward a flexible benefit package for covered employees. The elements of this package shall include, but are not limited to: dependent health care, DCAP, disability insurance, term life insurance and other life insurance, accident insurance and other

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authorized mutually agreed benefits. Specific plan design shall be subject to administrative feasibility and shall be determined in accordance with the plan implemented for members of the Municipal Executives Association. The benefits shall conform to the provisions of section 125 of the Internal Revenue Code.

C. The Court agrees to maintain health and dental contributions at present levels for the life of this agreement.

D. GENERAL WAGE INCREASE FOR COVERED EMPLOYEES EXCEPT 0215 BAIL COMMISSIONER AND 0255 COURT COMMISSIONERS

1. Lump sum. In recognition of recent wage freezes, covered employees except for 0215 Bail Commissioner and 0255 Court Commissioners shall receive a one-time only payment representing 1% of the highest base salary earned during the 1994-95 fiscal year. Qualifying employees must have been continuously employed by the Court between July 1, 1993 and June 30, 1995. Employees who were employed by the Court for only part of FY 1993-94 and/or 1994-95 shall be paid a portion of the above amount based on the number of hours employed divided by 4,160 hours. The payment shall be available not later than the close of business on August 30, 1995 and shall not include interest. If payment is not available on

August 30, 1995, interest shall begin to accrue at the rate published in the Recorder.

2. FY 1995-96. Base wages of covered employees except for 0215 Bail Commissioner and 0255 Court Commissioners shall be increased by one percent (1%) effective July 1, 1995, and by an additional one percent (1%) effective January 1, 1996.

D. RETIREMENT CONTRIBUTION

1. The City shall pick up the employee contribution to Retirement for covered employees as follows:

For the period October 1, 1995 through March 31, 1996, the City will contribute to the appropriate pension plan:

- 1.5% of pension covered gross salary for all old plan SFERS members and for new plan full rate members;
- 1.3% of pension covered gross salary for new plan reduced rate SFERS members.

For the period of April 1, 1996 through June 30, 1996, the City will contribute to the appropriate pension plan:

- 3.0% of pension covered gross salary for old plan SFERS members and new plan full rate members;
- 1.3% of pension covered gross salary for new plan reduced rate SFERS members.
- 1.8% of pension covered gross salary for old plan reduced members.

Effective dates shall be the beginning of the pay period closest to the dates listed.

2. All employees covered by this section who are enrolled, or shall enroll, at the minimum retirement contribution level will receive an amount equal to the pick-up they would have received pursuant to this agreement had they been enrolled at the full contribution level on at least a semi-annual basis.

3. An employee's wage rate shall not be reduced by the aforesaid contributions when computing vacation, holiday, retirement and any other benefit which is a function, or percentage, of salary. The City shall not treat these contributions as compensation subject to income tax withholding.

VI. Retroactive Application

Although the City and County has incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify the action previously taken.

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CERTIFICATION: The following hereby certify that a majority of the body over which they each preside has approved the terms of the above ordinance.

Tomar Mason, Acting Presiding Judge
San Francisco Municipal Court

N/A
Kevin F. Shelley, President
Board of Supervisors of the
City and County of Francisco

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 14, 1995	August 21, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
Absent: Supervisors Hsieh Leal	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
106-95-9

SEP 1 1995
Date Approved

Mayor

FILE NO. 106-95-10 ORDINANCE NO. 289-95

SETTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR FISCAL YEAR 1995-1996 FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE MUNICIPAL COURT FOR THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

I. This ordinance, which has been approved by a majority of the judges of the Municipal Court pursuant to Government Code section 74504.5(b), establishes the rates of compensation and additional benefits for certain classifications of Municipal Court employees. The classifications covered by this ordinance are enumerated in Appendix 1 attached hereto.

II. The schedule of compensation and the additional benefits authorized herein shall be effective July 1, 1995 unless otherwise specified in this ordinance.

III. For purposes of this ordinance, the term "covered employees" shall mean those classifications of employees enumerated in Appendix 1. The term "Court" shall mean the Municipal Court for the City and County of San Francisco.

IV. Compensation and Additional Economic Benefits for Covered Employees

A. PAYROLL PROCEDURES

1. Overtime and Holiday Pay

All holiday and overtime paychecks shall be distributed as part of the regular pay warrants for the period in which the overtime was earned.

2. Recovery of Overpayment.

The schedule of recovery of any overpayment shall be made by mutual agreement between the City and the employee. In the absence of a mutual agreement, the City will recover no more than 20% of the total amount in any one biweekly paycheck.

B. STATE UNEMPLOYMENT AND DISABILITY INSURANCE

1. Upon a vote by one-half or more of the members of a covered classification that the members desire to be enrolled in the State Disability Insurance Program, the Board of Supervisors shall immediately take any and all necessary action to enroll such all employees therein. The members of the classification shall certify to the Employee Relations Director that they desire to be enrolled for SDI no later than forty-five (45) days prior to SDI's quarterly enrollment dates and the Board shall take necessary action to enroll such employees in time for the next SDI enrollment date.

2. An employee entitled to SDI shall receive in addition thereto such portion of his/her accumulated sick leave with pay as will equal, but not exceed, the regular biweekly "take home" earnings of the employee, excluding optional deductions. Such supplementary payments shall continue for the duration of the employee's illness or disability or until sick leave with pay credited to the employee is exhausted, whichever occurs first.

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At an employee's option, an employee's accrued vacation, holiday, and compensatory time off can also be integrated with SDI payments in the same manner as sick leave.

C. REIMBURSEMENT OF WORK-RELATED EXPENSES

1. Mileage.

a. The Clerk-Administrator may request employees to use their own vehicle for Court business. Employees using their own vehicle for Court business shall be reimbursed for expenses incurred at the rate of twenty-five cents ($.25) per mile and for all necessary parking and toll expenses.

b. The above mileage rate shall be increased each calendar quarter by one cent per mile for each ten cents increase in the average cost of gasoline and defined for "gasoline all types" per gallon in the Energy Report published by the Bureau of Labor Statistics, U.S. Department of Labor. The base period against which increases shall be measured shall be the average price per gallon established for July 1, 1982. Said rate shall be fixed by the Controller within two weeks of his receipt of the above report.

2. Damaged or Stolen Property.

Reimbursement for property damaged, destroyed or stolen in the line of duty shall be administered in accordance with guidelines established by the Controller.

An employee who qualifies for reimbursement of such damaged, destroyed or stolen property shall submit a claim to his/her department head with all available documentation not later than thirty (30) calendar days after the date of such alleged

occurrence. An employee shall be entitled to the appropriate reimbursement no later than one hundred-twenty (120) days following the submission of such claim. Reimbursement may be delayed if the employee does not submit the appropriate documentation.

3. Meals.

Covered employees shall, subject to the procedures established by the Controller, be reimbursed for the reasonable and actual costs of meals upon presentation of receipts in the following circumstances:

a. When an employee is required by the Court to attend a meeting at which a meal is served and such meal is billed to the employee;

b. When an employee is traveling overnight out of the City on Court business.

D. WORK SCHEDULES

1. Part-time Work Schedules.

A part-time work schedule is a tour of duty less than forty (40) hours per week.

Salaries for part-time services shall be calculated upon the compensation for normal work schedules proportionate to the hours actually worked.

2. Overtime for Non-"Z" Employees.

Overtime shall be paid in accordance with the Fair Labor Standards Act. Non "Z" designated employees who work or, who are suffered to work overtime shall be paid in salary unless the individual employee requests compensatory time off in lieu of paid

overtime. Compensatory time shall be earned at the rate of time and one-half (1-1/2).Class 0350 Court Reporters shall not be eligible for overtime or compensatory time.

E. HOLIDAYS

1. Floating Holidays.

In addition to those days designated as Court holidays, covered employees other than Class 0350 Court Reporters shall receive two (2) additional holidays to be taken on days selected by the employee subject to the approval and sole discretion of the Court. Employees must complete six (6) months continuous service before receiving the additional days, except when a particular day has been determined to be a floating holiday for all of the employees in the Court; provided that all part-time employees who are not regularly scheduled, but are employed on an as needed, irregular intermittent or other irregular basis are ineligible for the additional days.

2. Holiday Compensation for Time Worked.

Employees required by their respective appointing officers to work on any of the above-specified or substitute holidays, excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation at the rate of time and one-half (1-1/2) the usual rate of pay for all regularly scheduled hours worked; provided, however, that at an employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime at the rate of time and one-half (1 1/2).

Ten (10) and twelve (12) hour employees shall receive full holiday compensation for the regularly scheduled shift worked on a holiday.

No designated "Z" employee shall receive overtime pay for working on a holiday. All such overtime shall be compensated in the form of compensatory time accrued.

3. Holiday Pay for Employees Laid Off.

An employee who is laid off at the close of business the day before a holiday who has worked not less than five (5) previous consecutive workdays shall be paid for the holiday.

4. Employees Not Eligible for Holiday Compensation.

Persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled), or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

5. Part-time Employees Eligible for Holidays.

Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a biweekly pay period. Holiday

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time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appointing officer.

F. LAY OFF ADJUSTMENT

An employee who is (1) "laid off," (2) is immediately and continuously employed in another classification with the Court, and (3) is thereafter reemployed in his/her original position without a break in service, shall, for the purposes of determining salary increments, receive credit for time served while laid off from his/her original appointment.

G. GENERAL WAGE INCREASE

All employees covered by this ordinance except for Class 0350 Court Reporters shall receive a 1.0% wage increase effective July 1, 1995 in accordance with the salary schedule attached as Appendix 1, and an additional 1.0% wage increase effective January 1, 1996. The effective dates shall be the beginning of the pay periods closest to July 1, 1995 and January 1, 1996, respectively.

H. HEALTH PLAN

Health and Dental Benefits

1. Maintenance of Benefits: The current benefits level shall be maintained for the duration of FY 1995-96.

2. City Contribution: The City shall contribute and continue to contribute a monthly amount towards Court employee health benefits for each covered employee in accordance with Charter Section 8.423, which provides for an annual benefits survey of the ten most populous counties (example: FY 1993-94 City contributory amount of $172.85 per employee).

3. Dependent Care Health Benefits: Effective July 1, 1995, and continuing for the duration of FY 1995-96, the City shall pay $150 per month toward dependent health care benefits for covered employees.

4. Dental Benefits.

The City shall continue to contribute a monthly amount per covered employee sufficient to continue the family dental coverage provided in FY 1993-94.

I. FINGERPRINTING

The City shall bear the full cost of fingerprinting whenever such is required of the employee.

J. RETIREMENT PICKUP

Effective July 1, 1995, The City shall pickup four percent (4.0%) of the employee's contribution costs to the San Francisco Employee Retirement System or the Public Employees Retirement System (PERS), whichever is applicable.

Effective January 1, 1996, the City shall pickup an additional one and one-half percent (1.5%) of the employee's contribution

costs to the San Francisco Employee Retirement System or the Public Employees Retirement System (PERS), whichever is applicable.

The City shall not treat these contributions as compensation subject to income tax withholding.

K. RETROACTIVE APPLICATION

Although the City and County has incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify the action previously taken.

CERTIFICATION: The following hereby certify that a majority of the body over which they each preside has approved the terms of the above ordinance.

Jerome T. Benson, Presiding Judge Municipal Court, San Francisco	N/A Kevin F. Shelley, President Board of Supervisors of the City and County of San Francisco

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 14, 1995	August 21, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
Absent: Supervisors Hsieh Leal	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 106-95-10

SEP 1 1995
Date Approved

Mayor

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FILE NO. 121-95-5 ORDINANCE NO. 290-95

(Amending Regulations Governing Sale of Firearms and Ammunition) AMENDING THE SAN FRANCISCO MUNICIPAL CODE PART II, CHAPTER VIII (POLICE CODE) BY AMENDING ARTICLE NINE, SECTIONS 613 AND 613.10 THEREOF, TO PROVIDE AGE RESTRICTIONS FOR THE SALE, LEASE OR OTHER TRANSFER OF FIREARMS, FIREARM AMMUNITION OR FIREARM AMMUNITION COMPONENT, AND TO REQUIRE GUN DEALERS TO POST NOTICES OF SUCH AGE RESTRICTIONS.

Note: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Code Part II, Chapter VIII (Police Code) is hereby amended by amending Article Nine, Section 613 thereof, to read as follows:

SEC. 613. REGULATING SALE OF FIREARMS. It shall be unlawful for any person, firm, corporation or dealer engaging in the business of selling, leasing or otherwise transferring any firearm, firearms ammunition, or firearms ammunition component to sell lease or otherwise transfer any firearm, firearms ammunition or firearms ammunition component without first having obtained a license from the San Francisco Police Department. The Department shall make available application forms requiring applicants to provide the information set forth in Section 613.2 ((613.1)), and shall collect a nonrefundable application fee from each applicant.

The Chief of Police shall recommend to the Board of Supervisors, on or before April 1, 1994, a fee which shall be sufficient to recover all costs associated with this Article, including but not limited to, processing applications, monitoring

licensees, and enforcing the provisions of this Article. The fee shall be set by the Board of Supervisors.

Section 2. The San Francisco Municipal Code Part II, Chapter VIII (Police Code) is hereby amended by amending Article Nine, Section 613.10 thereof, to read as follows:

SEC. 613.10. LICENSE -- CONDITIONS. In addition to all other requirements and conditions stated in this Article, each license shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the license by the Chief of Police:

(a) The business shall be carried on only in the building located at the street address shown on the license.

(b) The Licensee shall comply with Sections 12073, 12074, 12076, 12077 and 12082 of the California Penal Code, to the extent that the provisions remain in effect.

(c) The Licensee shall not deliver any pistol or revolver to a purchaser earlier than 15 days after the application for the purchase, lease or transfer, unless otherwise provided by state or federal law.

(d) The Licensee shall not deliver any firearm to a purchaser, lessee or other transferee unless the firearm is unloaded, and securely wrapped or unloaded in a locked container.

(e) The Licensee shall not deliver any firearm, firearm ammunition, or firearm ammunition component to a purchaser, lessee or other transferee unless the purchaser, lessee or other

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transferee is personally known to the seller or presents clear evidence of his or her identity and age to the seller. As used in this section, "clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a state identification card, an armed forces identification card, an ((and)) employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity and age of the purchaser.

(f) The Licensee shall not display in any part of the premises where it can be readily seen from outside the premises, any firearm, firearm ammunition or imitation thereof, or placard advertising the sale or other transfer thereof, other than a sign identifying the name of the business.

(g) The Licensee shall not sell, lease or otherwise transfer any firearm without also selling or otherwise providing with each firearm a trigger lock or similar device approved by the Chief of Police that is designed to prevent the unintentional discharge of the firearm.

(h) The Licensee shall not sell, lease or otherwise transfer to any person any ammunition clip or magazine that has the capacity to contain more than 15 rounds of ammunition.

(i) The Licensee shall not sell, lease or otherwise transfer to any person any ammunition that has no sporting purpose and is designed to expand upon impact. Such ammunition

includes, but is not limited to, Black Talon bullets.

(((j) The Licensee shall not sell, lease or otherwise transfer any firearm, firearm ammunition or firearm ammunition component to any person under the age of 18 years.))

(j) The Licensee shall not sell, lease or otherwise transfer any firearm to any person under the age of 18 years, and shall not sell, lease or otherwise transfer any pistol, revolver, or firearm capable of being concealed upon the person to any person under the age of 21.

(k) The Licensee shall not sell, lease or otherwise transfer any firearm ammunition to any person under the age of 18 years, and shall not sell, lease or otherwise transfer any ammunition capable of being used in a pistol, revolver, or firearm capable of being concealed upon the person to any person under the age of 21.

(l) (((k))) The Licensee shall not sell, lease or otherwise transfer any firearm to any person whom the licensee has reason to believe is within any of the the classes prohibited by California Penal Code sections 12021 Or 12021.1 or California Welfare and Institutions Code sections 8100 or 8103.

(m) The Licensee shall post within the Licensee's premises a notice explaining the age restrictions set forth in subsections (j) and (k) above. The posted notice shall be in a conspicuous location and shall have lettering of sufficient size such that

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the notice can easily and clearly be seen by all prospective purchasers of firearms and firearm ammunition.

Any license issued pursuant to this Article shall be subject to such additional conditions as the Chief of Police finds are reasonably related to the purpose of this Article.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
August 14, 1995	§	August 21, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
Absent: Supervisors Hsieh Leal	§	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
121-95-5

SEP 1 1995
Date Approved

Frank M. Jordan
Mayor

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August 3, 1995.

FILE NO. 124-95-3 ORDINANCE NO. 291-95

(Parking Authority)

AMENDING ARTICLE 3, SECTION 32.10 OF THE SAN FRANCISCO TRAFFIC CODE TO PROVIDE FOR THE USE OF A CENTRALIZED PARKING METER IN MUNICIPAL OFF-STREET LOTS CONTROLLED BY PARKING METERS; EFFECTIVE JULY 31, 1995.

mlr 8/3

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1: Article 3 of the San Francisco Municipal Code (Traffic Code) is hereby amended by amending Section 32.10 thereof to read:

SEC. 32.10. OPERATIONAL PROCEDURE TO BE FOLLOWED. No person shall park any vehicle in any parking space on any municipal off-street parking lot controlled by parking meters except as permitted by Section 3(b) of Ordinance No. 4288 (Series of 1939) without immediately depositing in the parking meter adjacent to said parking space, or a centralized parking meter, effective July 31, 1995 a coin or coins, lawful money of the United States, unless said parking meter indicates at the time such vehicle is parked that an unused portion remains of the period for which a coin or coins was or were previously deposited; nor shall any person permit any vehicle to remain parked in any parking lot space beyond the time permitted by Ordinance or Resolution for the parking of vehicles

mlr 8/3

in the municipal off-street parking lot in which said parking meter is situated, or during any time when said parking meter indicates that no portion remains of the period for which the last previous coin or coins was or were deposited.

RECOMMENDED:

John E. Newlin

JOHN E. NEWLIN
Director
Department of Parking and Traffic

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Linda M. Ross
LINDA M. ROSS
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 14, 1995	August 21, 1995
Ayes: Supervisors Alioto Bierman Hallinan Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden
Absent: Supervisors Ammiano Hsieh Leal	Absent: Supervisors Hsieh Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
124-95-3

SEP 1 1995
Date Approved

Mayor

FILE NO. 97-95-40 ORDINANCE NO. 292-95

[Sunshine Ordinance Amendments]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 67.7, 67.15 AND 67.24 TO REQUIRE POLICY BODY AGENDAS TO REFER TO RIGHTS PROVIDED IN THE SUNSHINE ORDINANCE; TO AMEND THE TIME REQUIREMENTS FOR SEEKING SIGN LANGUAGE INTERPRETERS AT THE MEETINGS OF POLICY BODIES; AND TO AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO WITHHOLD FROM PUBLIC DISCLOSURE PAYMENT RATES IN MANAGED HEALTH CARE CONTRACTS IF THE DIRECTOR MAKES A CERTAIN DETERMINATION, AND PROVIDING A SUNSET CLAUSE FOR THE EXEMPTION.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding a new subparagraph (g) to Section 67.7, to read as follows:

SEC. 67.7. AGENDA REQUIREMENTS; REGULAR MEETINGS.

(a) At least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting.

(b) A description is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have

reason to attend the meeting or seek more information on the item. The description should be brief, concise and non-technical. It may refer to explanatory documents, such as correspondence or reports, posted adjacent to the agenda or, if such documents are of more than one page in length, available for public inspection and copying at a stated location during normal office hours.

(c) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

(d) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a policy body may respond to statements made or questions posed by persons exercising their public testimony rights, to the extent of asking a question for clarification, providing a reference to staff or other resources for factual information, or requesting staff to report back to the body at a subsequent meeting concerning the matter raised by such testimony.

(e) Notwithstanding subdivision (d), the policy body may take action on items of business not appearing on the posted agenda under any of the following conditions:

(1) Upon a determination by a majority vote of the body that an accident, natural disaster or work force disruption poses a threat to public health and safety;

(2) Upon a good faith, reasonable determination by a two-thirds vote of the body, or, if less than two-thirds of the

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members are present, a unanimous vote of those members present, that (A) the need to take immediate action on the item is so imperative as to threaten serious injury to the public interest if action were deferred to a subsequent special or regular meeting, or relates to a purely commendatory action, and (B) that the need for such action came to the attention of the body subsequent to the agenda being posted as specified in subdivision (a);

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(f) Each board and commission enumerated in the charter shall ensure that agendas for each regular and special meeting are made available to speech and hearing-impaired persons through telecommunications devices for the deaf, telecommunications relay services or equivalent systems, and, upon request, to sight-impaired persons through Braille or enlarged type.

(g) Each policy body shall ensure that agendas for each regular and special meeting shall include the following notice:

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City

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and County exist to conduct the people's business. This ordinance ~~will~~ assures that ~~their~~ deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

Section 2. The San Francisco Administrative Code is hereby amended by amending Section 67.15, to read as follows:

SEC. 67.15. BARRIERS TO ATTENDANCE PROHIBITED.

(a) No policy body shall conduct any meeting, conference or other function in any facility that excludes persons on the basis of actual or presumed class identity or characteristics, or which is inaccessible to persons with physical disabilities, or where members of the public may not be present without making a payment or purchase. Whenever the Board of Supervisors, or a board or commission enumerated in the charter, or a permanent sub-quorum committee of the governing board or commission anticipates that the number of persons attending the meeting will exceed the legal capacity of the meeting room, any public address system used to amplify sound in the meeting room shall be extended by supplementary speakers to permit the overflow audience to listen to the proceedings in an adjacent room or passageway, unless such supplementary speakers would disrupt the operation of a City office.

(b) Each board and commission enumerated in the charter shall provide sign language interpreters or note-takers at each regular meeting, providing that a request for such services is communicated to the secretary to the board or commission at least ((72)) 48 hours before the meeting, except for Monday meetings, for which the deadline shall be 4 p.m. of the last business day of the preceding week.

8/15/95

(c) Each board and commission enumerated in the Charter shall ensure that accessible seating for persons with disabilities, including those using wheelchairs, is made available for each regular and special meeting.

(d) Each board and commission enumerated in the Charter shall include on the agenda for each general and special meeting the following statement: "In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals."

Section 3. Findings. Health care is currently undergoing a transformation from a "fee-for-service" to a "managed care" system. If the City wishes to continue providing services through San Francisco General Hospital and its clinics, it must be able to enter into managed health care contracts and to compete with other

participants in the field of health care when negotiating and executing these contracts. Currently, private providers and health care service plans are not required to disclose payment rates negotiated in their managed health care contracts. Moreover, a number of laws protect the confidentiality of managed health care payment rates negotiated by public entities, including the San Francisco Health Authority. Maintaining the confidentiality of managed health care payment rates between the City and third parties will enable the City to compete effectively with other participants in the marketplace and, with respect to mental health services, manage a limited source of funds in the most efficient manner.

Section 4. The San Francisco Administrative Code is hereby amended by amending Section 67.24 to read as follows:

SEC. 67.24. NONEXEMPT PUBLIC INFORMATION. Notwithstanding the department's legal discretion to withhold certain information under the California Public Records Act, the following policies shall govern specific types of documents and information:

(a) Drafts and Memoranda.

(1) Except as provided in subparagraph (2), no preliminary draft or department memorandum shall be exempt from disclosure under Government Code Section 6254, subdivision (a) if it is normally kept on file. If it is not normally kept on file and would

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otherwise be disposed of, its factual content is not exempt under subdivision (a). Only the recommendation of the author may, in such circumstances, be withheld as exempt;

(2) Draft versions of an agreement being negotiated by representatives of the City with some other party need not be disclosed immediately upon creation but must be preserved and made available for public review for 10 days prior to the presentation of the agreement for approval by a policy body, unless the body finds that and articulates how the public interest would be harmed by compliance with this 10-day rule, provided that policy body as used in this subdivision does not include committees. In the case of negotiations for a contract, lease or other business agreement in which an agency of the City is offering to provide facilities or services in direct competition with other public or private entities that are not required by law to make their competing proposals public, the policy body may postpone public access to the final draft agreement until it is presented to it for approval. Earlier versions and/or drafts of agreements shall not be subject to disclosure if the public interest in withholding such records clearly outweighs the public interest in disclosure as provided by California Government Code Section 6254(a).

(b) Litigation Material.

(1) No pre-litigation claim against the City, or any other record previously received or created by a department in the ordinary course of business, shall be exempt from disclosure under

Government Code Section 6254, subdivision (b);

(2) Unless otherwise privileged under California law, when litigation is finally adjudicated or otherwise settled, records of all communications between the department and the adverse party shall be subject to disclosure, including the text and terms of any settlement.

(c) Personnel Information. None of the following shall be exempt from disclosure under Government Code Section 6254, subdivision (c):

(1) The job pool characteristics and employment and education histories of all successful job applicants, including at a minimum the following information as to each successful job applicant:

(i) Sex age and ethic group,

(ii) Years of graduate and undergraduate study, degree(s) and major or discipline,

(iii) Years of employment in the private and/or public sector,

(iv) Whether currently employed in the same position for another public agency,

(v) Other nonidentifying particulars as to experience, credentials, aptitudes, training or education entered in or attached to a standard employment application form used for the position in question.

(2) The professional biography or curriculum vitae of any employee, provided that the home address, home telephone number, social security number, age, and marital status of the employee

shall be redacted;

(3) The job description of every employment classification;

(4) The exact gross salary and City-paid benefits available to every employee;

(5) Any memorandum of understanding between the City or department and a recognized employee organization.

(d) Law Enforcement Information. No records pertaining to any investigation, arrest or other law enforcement activity shall be exempt from disclosure under Government Code Section 6254, subdivision (f) beyond the point where the prospect of any enforcement action has been terminated by either a court or a prosecutor. When such a point has been reached, related records of law enforcement activity shall be accessible, except that individual items of information in the following categories may be withheld: the names of witnesses (whose distinct identities may be indicated by substituting an alphabetical letter for each individual interviewed); personal and otherwise private information unrelated to the reasons for which the law enforcement action was commenced or terminated; the identity of a confidential source; secret investigative techniques or procedures; or information whose disclosure would endanger law enforcement personnel. The subdivision shall not exempt from disclosure any portion of any record of a concluded inspection or enforcement action by an officer or department responsible for regulatory protection of the public health, safety or welfare.

(e) Contracts, Bids and Proposals. (1) Contracts, contractors' bids, responses to requests for proposals and all other records of communications between the department and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefit until and unless that person or organization is awarded the contract or benefit. All bidders and contractors shall be advised that information provided which is covered by this subdivision will be made available to the public upon request.

(2) Notwithstanding the provisions of this subdivision or any other provision of this ordinance, the Director of Public Health may withhold from disclosure proposed and final rates of payment for managed health care contracts if the Director determines that public disclosure would adversely affect the ability of the City to engage in effective negotiations for managed health care contracts. The authority to withhold this information applies only to contracts pursuant to which the City (through the Department of Public Health) either pays for health care services or receives compensation for providing such services, including mental health and substance abuse services, to covered beneficiaries through a pre-arranged rate of payment. This provision also applies to rates for managed health care contracts for the University of California, San Francisco, if

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the contract involves beneficiaries who receive services provided jointly by the City and University. This provision shall not authorize the Director to withhold rate information from disclosure for more than three years. The provision of this subsection (e)(2) shall expire three years after it takes effect, except as to rates for contracts finally approved during that three-year period.

(f) Budgets and Other Financial Information. Budgets, whether tentative, proposed or adopted, for the City or any of its departments, programs, projects or other categories, and all bills, claims, invoices, vouchers or other records of payment obligations as well as records of actual disbursements showing the amount paid, the payee and the purpose for which payment is made, other than payments for social or other services whose records are confidential by law, shall not be exempt from disclosure under any circumstances.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 21, 1995	August 28, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Ammiano Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisors Hsieh Shelley Teng	Absent: Supervisors Bierman Hsieh Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-95-40

SEP 8 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-95-33 ORDINANCE NO. 293-95

RO #95025

(SETTLEMENT OF LAWSUIT)

AUTHORIZATION OF SETTLEMENT OF LITIGATION OF U.S.A. (DAVIS) V. CITY AND COUNTY OF SAN FRANCISCO, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, CONSOLIDATED CASES NOS. C84-7089 MHP AND C84-1100 FOR $1,404,894.90.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to pay a settlement of the action entitled "U.S.A. (Davis) v. City and County of San Francisco", United States District Court, Northern District of California, Consolidated Cases Nos. C84-1100 MHP and C84-7089 MHP, by the payment of $1,404,894.90.

APPROVED AS TO FORM AND RECOMMENDED:

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:
SAN FRANCISCO FIRE DEPARTMENT

JOSEPH MEDINA, Chief

FUNDS AVAILABLE:

EDWARD J. HARRINGTON
Controller

1G AGF ACP 31 00 00 310059
05311 PFC 117 $1,404,894.90

APPROVED:
FIRE COMMISSION

RAYMOND G. CONNORS, JR.
Secretary

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
August 28, 1995	§	September 5, 1995
Ayes: Supervisors Alioto Ammiano Hallinan Kaufman Kennedy Leal Migden Shelley	§	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng
Absent: Supervisors Bierman Hsieh Teng	§	Absent: Supervisors Alioto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-33

SEP 5 1995
Date Approved

Mayor

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SEP 26 1995
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FILE NO. 74-95-1 ORDINANCE NO. 214-95

RO# 95029

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR CITY AND COUNTY PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1996.

Be It Ordained by the People of The City and County of San Francisco:

SECTION 1. Under and pursuant to the provisions of the Charter of the City and County of San Francisco and of the laws of the State of California and in conformity therewith a tax is hereby levied for City and County purposes, for the fiscal year ending June 30, 1996 on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of one dollar, four and five hundred thirty-one thousandths, ninety-six millionths cents ($1.04531096) on each one hundred dollars valuation of said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal year, which said sum as aforesaid is hereby apportioned in accordance with the provisions of Section 6.400 of the Charter to the funds and accounts and for the purpose designated as follows:

For the General Fund to meet the expenses of the City and County of San Francisco not subject to said limitations of Section 6.400 of the Charter, including the cost of elections, the construction, maintaining and improving of streets, sewers and buildings, parks, squares, playgrounds and libraries, obligations imposed by the State Legislative or Constitutional enactment, and obligations imposed by the vote of the People of the City and County of San Francisco,

the rate of	$ .82418319 (1)
For the Library Preservation Fund, the rate of	.02500000
For the San Francisco Children's Fund, the rate of	.02500000
For the Open Space Acquisition Fund, the rate of	.02500000
For the County Superintendent of Schools, the rate of	.00097335
For the Bond Interest and Redemption Fund the rate of	.13674375
TOTAL	**$1.03890029**
Bay Area Air Quality Management District, the rate of	.00208539
Bay Area Rapid Transit District the rate of	.00632528
Total Tax Rate for City & County of San Francisco	**$1.04531096**

(1) Includes State tax shift to the Educational Revenue Augmentation Fund.

Prepared By:

Controller

Approved As To Form:
Louise H. Renne-City Attorney

BY: Deputy City Attorney

Taxrate.doc

BOARD OF SUPERVISORS

DOCUMENTS DEPT
OCT 19 1995

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 5, 1995	$	September 11, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng	$	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng
	$	
Absent: Supervisor Migden	$	Absent: Supervisors Alioto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
74-95-1

SEP 22 1995
Date Approved

Mayor

FILE NO. 74-95-2

ORDINANCE NO. 215-95

RO# 95030

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR SAN FRANCISCO UNIFIED SCHOOL DISTRICT PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1996.

Be It Ordained By The People Of The City and County Of San Francisco:

SECTION 1. Under and pursuant to the laws of the State of California and in conformity therewith a tax is hereby levied for San Francisco Unified School District purposes, for the fiscal year ending June 30, 1996, on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of eight and one hundred twenty four thousandths, four hundred eighty two millionths ($0.08124482) cents on each one hundred dollars valuation of said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal year, which said sum is hereby apportioned as follows:

For general purposes, the rate of	$.07698857
For debt service under the Field Act, the rate of	.00425625
Total	$.08124482

Prepared By:

Controller

Approved As To Form:
Louise H. Renne, City Attorney

BY: Deputy City Attorney

LEVY.doc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 5, 1995	September 11, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Migden	Absent: Supervisors Alioto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 74-95-2

SEP 22 1995

Date Approved

Mayor

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FILE NO. 74-95-3

ORDINANCE NO. 296-95

RO# 95031

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR SAN FRANCISCO COMMUNITY COLLEGE DISTRICT PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1996.

Be It Ordained by the People of The City and County of San Francisco:

SECTION 1. Under and pursuant to the laws of the State of California and in conformity therewith a tax is hereby levied for San Francisco Community College District purposes, for the fiscal year ending June 30, 1996, on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of one and four hundred forty-four thousandths, four hundred twenty-two millionths ($0.01444422) cents on each one hundred dollars valuation of said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal year.

PREPARED BY:

Controller

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Deputy City Attorney

LEVY1.doc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
September 5, 1995	§	September 11, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng	§	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Migden	§	Absent: Supervisors Alioto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
74-95-3

SEP 22 1995
Date Approved

Mayor

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SAN FRANCISCO

FILE NO. 101-95-2.1
(Government Funding)

ORDINANCE NO. 297-95
RO 95032

AMENDING THE ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR 1995-96, FILE NUMBER 101-95-2, ORDINANCE NUMBER 255-95, GIVING EFFECT TO REVENUE CHANGES PURSUANT TO CHARTER SECTION 6.208 AND ADJUSTING APPROPRIATIONS TO MEET THE REQUIREMENTS OF THE ART COMMISSION PURSUANT TO CHARTER SECTION 6.400, AND ADJUSTING APPROPRIATIONS TO MEET THE REQUIREMENTS OF THE AIRPORT, AS A PRE-REQUISITE TO LEVY A TAX PURSUANT TO CHARTER SECTION 6.208.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The Annual Appropriation Ordinance for Fiscal Year 1995-96, File Number 101-95-2, Ordinance Number 255-95, is hereby amended by the following increases and decreases in revenue and expenditure accounts as indicated (in revenue appropriations and sources, AAO budget accounts, increases are shown as debits while decreases are shown as credits; in expenditure appropriations and reserves, increases are shown as credits while decreases are shown as debits):

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund Expenditure Appropriation		
AR-ART	Art Commission		
069-06921 (289901)	Art Commission Projects	$4,363	
	Revenue Appropriation		
UN-UNA	General Fund Unallocated		
097-09799 (995002)	Unappropriated Revenue Retained - General Reserve		$4,363
	Total	$4,363	$4,363
4D-GOB-GOB	Debt Service Fund Revenue Appropriation		
CA-CAO	Chief Administrative Officer		
100-10999 (705001)	Unallocated General Property Taxes	$2,464,469	
	Expenditure Appropriation		
070-07111 (705009)	Debt Service		$2,464,469
	Total	$2,464,469	$2,464,469
5A-AAA-AAA	Airport Operating Fund Revenue Appropriation		
AC-AIR	Airport Commission		
GL 401 (AIR022012)	Sources, AAO Budget	$6,000,000	
600-67111 (AIR044149)	Airline Landing Fees		$6,000,000
	Total	$6,000,000	$6,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: John Wheeler

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: BE

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 5, 1995	$	September 11, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng	$	Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng
	$	
Absent: Supervisor Migden	$	Absent: Supervisors Alioto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-2.1

SEP 22 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 281-94-4 ORDINANCE NO. 298-95

(Ballot Pamphlet)

ORDINANCE AUTHORIZING THE REGISTRAR OF VOTERS TO INCLUDE THE MAIN TEXT OF THE PROPOSED CHARTER REVISION, WITHOUT THE APPENDICES, IN THE BALLOT PAMPHLET FOR THE NOVEMBER 7, 1995 ELECTION.

NOTE: All language is new.

Be it ordained by the people of the City and County of San Francisco:

Notwithstanding the provisions of section 5.79(b) of the Administrative Code, the Registrar of Voters is authorized to publish the main text of the proposed Charter revision, without the appendices, in the ballot pamphlet for the November 7, 1995 election.

The Registrar shall include in the Ballot Pamphlet the main text of the proposed revision, the Ballot Simplification Committee's digest, the Controller's statement, and the City Attorney's comparison of the current Charter and the proposed revision, as well as any other material the Registrar deems useful to the voters or required by law. The Registrar shall also include a notice that the complete text of the measure has not been printed in the pamphlet, but that copies of the complete text will be mailed out free of charge to any person who requests a copy from the Registrar by calling a telephone number which shall also be provided. The notice shall also provide that copies of the complete text shall be available at the main and branch public libraries.

The notice shall include an explanation that the appendices to the proposed revision contain provisions relating to: (a) employee benefits, (b) the Port, (c) the Ethics Commission, and (d) the Building Inspection Commission. These provisions have been taken, without change, from the current Charter.

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

REGISTRAR OF VOTERS

REGISTRAR OF VOTERS
BOARD OF SUPERVISORS
Supervisor Kaufman

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 11, 1995	$	September 18, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Shelley Teng	$	Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisor Migden	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
281-94-4

SEP 28 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 82-95-1.1 ORDINANCE NO. 294-95

[Vacation of Public Sewer and Utilities Easement]

ORDERING THE VACATION OF A SEWER AND PUBLIC UTILITIES EASEMENT LOCATED WITHIN BLOCK 735, LOT NO. 26.

Be It Ordained By the People of the City and County of San Francisco:

Section 1. The San Francisco Board of Supervisors, by Ordinance No. 108-95, authorized the Director of Property to quitclaim a City-owned easement over certain property located at 1096 Eddy Street for less than fair market value in order to facilitate development of 21 units of housing for low and very low income mentally disabled adults.

Section 2. In accordance with Ordinance No. 108-95, the quitclaim of the City's easement will be conditioned upon, among other things, grant of a satisfactory replacement easement at no cost to the City.

Section 3. The City's easement must be vacated prior to being conveyed.

Section 4. On August 7, 1995, the Board of Supervisors adopted Resolution No. 603-95, being a Resolution of Declaration of Intention to Order the Vacation of a sewer and public utilities easement.

Section 5. The City's existing easement and the replacement easement are shown on the Department of Public Works' Drawing SUR Nos. 2293A and 2293B, respectively, dated June 27, 1995, which are on file in the office of the Clerk of the Board of Supervisors in File No. 82-95-1.1.

Section 6. The Clerk of the Board of Supervisors transmitted to the Department of Public Works a certified copy of said Resolution, and the Director of Public Works caused notice of adoption of said Resolution to be posted in the manner required by law.

Section 7. When such matter was considered as scheduled by the Board of Supervisors at its regular meeting held in City Hall, San Francisco, on September 11, 1995, beginning at 3:00 P.M., the Board heard all persons interested in said vacation.

Section 8. From all the evidence submitted at the hearing on such Resolution, the Board of Supervisors finds that the easement described in said Resolution is unnecessary for present or prospective public use because the vacation and quitclaim of the easement are conditioned on the conveyance of a replacement easement. The public convenience and necessity require that no easements be reserved for public utility facilities, if any, that are in place in such easement area because the vacation and quitclaim of the easement are conditioned on the satisfactory relocation of existing utility facilities to the replacement easement at the developer's sole cost, and that any rights based upon any such public utility facilities shall be extinguished.

Section 9. The public interest and convenience require that the vacation be completed, effective upon grant to the City of the replacement easement and satisfactory relocation of the existing utility facilities as declared in said Resolution No. 603-95.

Section 10. The existing easement shall be quitclaimed in accordance with the conditions set forth in Ordinance No. 108-95.

Section 11. By letter dated February 9, 1994, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 82-95-1.1, the Department of City Planning found that the proposed easement vacation and exchange for a new easement are in conformity with the City's Master Plan, including the street vacation and easement criteria in the Urban Design Element, and with the Eight Priority Policies of City Planning Code Section 101.1. The San Francisco Board of Supervisors adopts as its own and

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incorporates by reference herein as though fully set forth, the findings in the Department of City Planning's letter described above.

Section 12. The Board of Supervisors has acquired jurisdiction to order such vacation.

Section 13. Such sewer and public utilities easement is hereby ordered vacated, conditioned upon grant to the City of the replacement easement and satisfactory relocation of the existing utility facilities to the replacement easement in accordance with the terms of Ordinance No. 108-95.

Section 14. The Clerk of the Board of Supervisors is hereby directed to transmit to the Recorder and the Director of Public Works a certified copy of this Ordinance, and the Recorder and the Director of Public Works are hereby directed to proceed thereafter as required by law.

RECOMMENDED:

Director of Public Works

SUBMITTED:

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By: Deputy City Attorney

DESCRIPTIONS APPROVED/CHECKED:

Deputy Director of Public Works and City Engineer

(REAL ESTATE)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 11, 1995	September 18, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Migden	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 82-95-1.1

SEP 28 1995

Date Approved

Mayor

FILE NO. 36-95-4 ORDINANCE NO. 300-95

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 2300 23RD STREET, EAST SIDE BETWEEN 20TH AND 22ND STREETS, A PORTION OF LOT 1, ASSESSOR'S BLOCK 4108 FROM A "P-40-X" (PUBLIC USE-HEIGHT) DISTRICT TO AN "M-2, 40-X" (HEAVY INDUSTRIAL, 40 FOOT HEIGHT) DISTRICT AND ADOPTING FINDINGS PURSUANT TO SECTION 101.1 OF THE PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District hereby Approved
Beginning at the point of intersection of the westerly line of Third Street, as widened, formerly Kentucky	P-40X Public Use, 40 Ft. Height	M-2, 40-X Heavy Industrial 40 Ft. Height

Street, with the southerly line of 20th Street, and thence running westerly along said line of 20th Street 80 feet; thence at a right angle southerly 150 feet; thence at a right angle easterly 80 feet to said line of Third Street, as widened; thence at a right angle northerly along said westerly line of Third Street, as widened, 150 feet to said line of 20th Street and the point of beginning. Being a portion of New Potrero Block 391.

Being also a portion of Lot 1 in Assessor's Block 4108.

Containing 12,000 square feet, more or less.

Section 2. Pursuant to Section 101.1 of the Code, this Board of Supervisors adopts City Planning Commission Resolution No. 13634 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By Judith A. Boggian
Deputy City Attorney

RECOMMENDED:

CITY PLANNING COMMISSION

By L. R. Blazej
Lucian R. Blazej
Director of Planning

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 18, 1995	§	September 26, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	§	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	§	Kennedy Leal Migden Shelley
	§	
	§	Absent: Supervisor Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
36-95-4

OCT 6 1995
Date Approved

Mayor

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